



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

**#24-1058**

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

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

**DATE:** November 19, 2024

**TITLE:** Quasi-Judicial Resolution – Approving an Amendment to a Site Plan Level IV Development Permit for “Ocean Park Residences”, a 76-Unit Multifamily Residential Development with a Five-Story Parking Garage including a Request for Yard Modifications, Building Height Exceeding 120 Feet, and Modifications for Tower Stepback and Tower Separation, in Central Beach Regional Activity Center – Sunrise FTL Ventures LLLP – Case No. UDP-S24024 - (**Commission District 2**)

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**Recommendation**

Staff recommends the City Commission consider adopting a resolution approving an amendment to a Site Plan Level IV development permit for “Ocean Park Residences”, a 76-unit multifamily residential development with a five-story parking garage including a request for yard modifications, building height exceeding 120 feet, and modifications for tower stepback and tower separation, in Central Beach Regional Activity Center” proposed at 2851/2901 NE 9<sup>th</sup> Court.

**Background**

The site of the proposed development is approximately 1.26 acres (54,870 square feet) and is located east of the Intracoastal Waterway, west of North Birch Road, south of Sunrise Boulevard and north of NE 9<sup>th</sup> Court. The subject site has an underlying land use designation of Central Beach Regional Activity Center (Central Beach RAC), is zoned Sunrise Lane Area (SLA) District and is currently occupied with commercial buildings. Section 166.033, Florida Statutes requires municipalities to take final action on a development permit application subject to quasi-judicial or public hearing processes within 180 days of the application being deemed complete. The application was deemed complete on March 27, 2024. The applicant agreed to an extension of time, as permitted by Section 166.033(1), Florida Statutes, to December 4, 2024, to accommodate the City Commission review process. A location map is attached as Exhibit 1.

On June 7, 2022, the City Commission adopted Resolution No. 22-119 approving a development on the subject site, consisting of an 11-story residential building with 54 multifamily residential units and a 12-story hotel consisting of 100 rooms with associated

retail and restaurants. The applicant, Sunrise FTL Ventures, LLLP, is proposing to modify the approved site plan to reduce the intensity and height of the overall development.

The revised project eliminates the hotel and commercial components and proposes a 14-story multifamily residential building, increasing the residential units from 54 units to 76 units resulting in a net increase of 22 units. In addition, the parking will now be contained in a separate above ground parking garage as opposed to the subterranean garage that was originally proposed and approved. The residential building contains a rooftop pool amenity deck, and the parking garage rooftop amenity contains a pickleball court and resident amenity space.

The residential building has a proposed height of 144 feet. Pursuant to Section 47-12.5.F, notwithstanding the maximum structure height of 120 feet as provided in the Unified Land Development Regulations (ULDR) Section 47-12.4.1, a beach development permit may be issued for a development with a height that exceeds the maximum structure height of 120 feet by up to 20% but not exceeding a height of 144 feet, provided that the structure has a maximum floorplate size of 16,000 square feet and the development permit is subject to City Commission approval. The floorplate size is 11,812 square feet.

The project was reviewed by the Development Review Committee (DRC) on April 23, 2024. All comments have been addressed. On October 16, 2024, the Planning and Zoning Board (PZB), acting as the local planning agency (LPA), reviewed the subject project and recommended approval finding the proposed development is consistent with the applicable ULDR criteria by a vote of 7-0, subject to the following conditions:

1. Prior to issuance of final certificate of occupancy, applicant shall prepare, execute, and record an Agreement or other document for the perpetual maintenance of private improvements within the existing and proposed rights-of-way of Northeast 9<sup>th</sup> Court, as depicted on Sheet X2 of the site plan.
2. Prior to issuance of final certificate of occupancy, applicant shall record a pedestrian sidewalk access easement along the north side of NE 9th Street to accommodate a portion of the respective required pedestrian clear path located outside of existing right-of-way.
3. In accordance with the Water and Wastewater Capacity Availability letter issued by the City Public Works Department dated September 11, 2024, the existing water system requires infrastructure improvements to accommodate flow increase from the proposed development. Prior to Master Building Permit approval, 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.
4. Prior to issuance of final certificate of occupancy, applicant shall dedicate a minimum ten (10) foot by fifteen (15) foot utility easement for the two four (4) inch water service and meters proposed and located within the proposed development

and outside of existing right-of-way to facilitate City maintenance access as approved by the City Engineer.

5. Be advised, proposed improvements adjacent and within Sunrise Boulevard right-of-way are subject to Florida Department of Transportation review and approval.
6. 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 Section 47-38A, Park Impact Fees.
7. Applicant will be required to obtain a final School Capacity Availability Determination (SCAD) letter prior to the submittal of building permit and provide the City with a copy at time of building permit submittal.
8. This property is located in an Archaeologically Significant Zone and has fulfilled requirements for archaeological survey and testing. If unmarked human remains are encountered then excavation in the vicinity of the find shall halt immediately, and the archaeologist shall alert the City's historic preservation staff to coordinate the discovery and take measures to implement Chapter 872.05 Florida Statutes as it pertains to the discovery of unmarked human remains.

To review detailed analysis of the application, please refer to the October 16, 2024, PZB Staff Report, attached as Exhibit 2. The exhibits presented to the PZB are identified below:

- Application and Narrative Responses to Code Criteria
- Plan Set
- April 23, 2024, DRC Comment Report with Applicant's Responses
- Shadow Study for Yard Modification Analysis
- September 11, 2024, Water/Sewer Capacity Letter Issued by the City's Public Works's Department
- March 21, 2024, Trip Generation Analysis, DC Engineering, Inc
- Public Participation Meeting Summary and Affidavit
- Public Sign Notice and Affidavit

The October 16, 2024, draft PZB meeting minutes are attached as Exhibit 3. Letters of support provided by Carlton Tower, Coconut Bay Resort, and Le Club were emailed to the Planning and Zoning Board members and are attached as Exhibit 4.

### **Comprehensive Plan Consistency**

The City's Future Land Use Map indicates that the proposed project is located within the boundaries of the Central Beach RAC. Per an Interlocal Agreement between the City and Broward County, the City is required to monitor and track development entitlements in the City's Regional Activity Centers and monitor the number of residential units and vehicular trips allocated to individual projects in the Central Beach RAC. As proposed, the project will result in a net reduction of 26 net PM peak-hour trips. If the proposed project is approved, 259 trips will remain in the Central Beach RAC. In regard to

residential units, 76 units will be allocated to the project and 541 units will be remaining for the Central Beach RAC. Table 2 provides a summary of the residential units and vehicular trips allocated in the Central Beach RAC to date.

**Table 2 – Beach RAC Development Tracking Summary**

<b>Residential Unit Summary</b>		<b>Vehicle Trip Summary</b>	
Total Residential Units Permitted	5,500	Total Peak Hour Trips Permitted	<b>3,220</b>
Built and Approved Units <sup>(1)</sup>	4,917	Built and Approved Trips <sup>(1)</sup>	<b>3,073</b>
Demolition Credits <sup>(2)</sup>	34	Demolition Credits <sup>(2)</sup>	<b>50</b>
Allocation for Ocean Park	76	Allocation for Ocean Park	<b>-62</b>
<b>Number of Units Available if Proposed Ocean Park House is Approved</b>	<b>541</b>	<b>Number of Trips Available if Proposed Ocean Park is Approved</b>	<b>259</b>

*(1) Includes existing 3,050 units as of July 1998, built, approved not yet built, and any pending litigation.*

*(2) Demolition credits for properties that demolition structures after 1989 and did not receive new approvals.*

**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:

- The Housing Focus Area, Goal 4: 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:

- Urban Design Element Goal 1: The City of Fort Lauderdale shall promote high-quality and sustainable building design elements which complement the public realm.

**Attachments**

Exhibit 1 – Location Map

Exhibit 2 – October 16, 2024, PZB Staff Report

Exhibit 3 – October 16, 2024, Draft PZB Meeting Minutes

Exhibit 4 – Letters of Support

Exhibit 5 – Resolution Approving

Exhibit 6 – Resolution Denying

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11/19/2024

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