

REQUEST: Site Plan Level III Review; Proposed use within the Regional Activity Center – Transitional Mixed Use (RAC – TMU) District on land abutting the New River & Parking Reduction

Case Number	51R12	
Applicant	Downtown Fort Lauderdale Waterfront 18, LLC. / Marina Lofts	
General Location	South side of New River between FEC r.o.w. and SW 4 th Avenue	
Property Size	258,047 SF / 5.92 acres	
Zoning	Regional Activity Center – South Mixed Use (RAC-SMU)	
Existing Use	Marina, Restaurant and Vacant parcels.	
Future Land Use Designation	Downtown Regional Activity Center (DRAC)	
Applicable ULDR Sections	47-13 RAC Requirements 47-20.3 Parking Reduction 47-24.1 Table 1, Development Permits and Procedures 47-25.2 Adequacy Requirements 47-25.3 Neighborhood Compatibility Requirements	
Downtown Master Plan & New River Master Plan	Planning Principles, Design Guidelines & Character Area Guidelines for Riverfront Sites	
Building Height	Preferred 30 floors max.	East Building 33 Center Building 28 West Building 28
Structure Length	Preferred 300' max.	East Building 415' Center Building 321' West Building 261'
Parking	1,941 spaces required	1,313 spaces proposed (32 % reduction)
Setback from River	60' min.	East Building 66' Center Building 60' – 94' West Building 61' – 129'
Notification Requirements	Sign Notice 15 days prior to meeting	
Action Required	Approve, Approve with Conditions, or Deny	
Project Planner	Randall Robinson, Planner II	

PROJECT DESCRIPTION:

The applicant proposes a project consisting of nine hundred and ninety-eight (998) multifamily residential units, 20,445 square feet of retail and 11,916 square feet of restaurant space, located on the New River between the F.E.C. right-of-way and SW 4th Avenue in the Downtown Regional Activity Center (DRAC). The development consists of three residential towers with fully enclosed parking garages, consisting of the following number of units: The East Tower contains 482 residential units; the Center Tower contains 261 residential units; the West Tower contains 255 residential units.

The site comprises one of the largest undeveloped areas along the New River in a significant Downtown location. Properties to the east are zoned Regional Activity Center-City Center District (RAC-CC), which allows for unlimited height and does not require on-site parking. The properties north of the New River are zoned Regional Activity Center-Arts & Science (RAC-AS) and Historic Preservation (H-1) districts. The properties to the south and west are zoned Regional Activity Center – South Mixed Use (RAC-SMU), same as the subject site.

Currently overhead FPL transmission lines bisect the site over the alley between SW 3rd and 4th Avenues. The applicant has provided a conceptual plan for the realignment of the transmission lines around the site and along the Florida East Coast Rail right-of-way, which lines the eastern boundary of the proposed project. The conceptual realignment plan is included with the site plans. Please note that final construction drawings will be provided at final site plan submittal.

The proposed development site includes an existing African Rain Tree (*Albizia semanae*) approximately 80' in height with a canopy of 125' in width with a diameter of 6'-4" at 54" above the ground. On December 19, 1987 the City Commission passed a resolution declaring various trees located in certain

areas of the City of Fort Lauderdale to be protected, deeming they may not be damaged or removed unless otherwise approved by the City Commission. The same resolution declared the African Rain Tree on the proposed site of the project site as a protected tree. The applicant has contracted Environmental Design, a tree services company that specializes in transplanting mature trees, to relocate the tree from its current location to a proposed public plaza/park space on the northeast corner of SW 3rd Avenue and SW 5th Street. Documentation provided by the applicant by arboricultural consultant Robert D. Brennan indicates that the company has successfully transplanted other trees of similar size through specialized equipment and techniques, supporting the viability of relocating the tree. The City Commission will be reviewing the request to relocate the tree at the same time the site plan comes before them for allocation of downtown residential units.

As detailed in plans submitted, the project is proposed to be completed in three phases as follows:

Phase 1: Western Parcel, including West Tower and parking garage, relocation of African Rain Tree and completion of adjacent *Riverwalk* improvements;

Phase 2: Central Parcel, including Center Tower and parking garage, demolition and relocation of the existing Water Taxi business to Western Parcel and completion of adjacent *Riverwalk* improvements;

Phase 3: Eastern Parcel, including East Tower and parking garage, demolition of existing restaurant and relocation to Phase 2 retail space and completion of adjacent *Riverwalk* improvements.

Staff has received numerous communications from the public interested in the project. Communication directed to the Planning & Zoning Board received to date is provided as **Exhibit 1**. In addition numerous other correspondence is included in the project case file.

PRIOR REVIEWS:

A preliminary Design Review Team (DRT) analysis by staff was performed at initial submittal of the application to provide information to the applicant early on in order to address meeting the intents of the Downtown and New River Master Plans.

The Development Review Committee (DRC) reviewed the proposal on July 10, 2012. The Planning & Zoning Board submittal addresses the DRC and DRT comments.

Due to the site's proximity to the Historic Preservation (H1) zoning district across the New River, the project was presented to the Historic Preservation Board for review and comment on September 11, 2012 subject to Objective 1.11, Policy 1.11.3 of the City's Comprehensive Plan. A motion passed (6-0) stating that the project is incompatible with the H1 zoning district. The Minutes of the Historic Preservation Board are provided as **Exhibit 2**. A study prepared by the applicant's consultant, Anthony Abbate, AIA regarding the impacts of the proposed project on adjacent historic resources including a shadow study are provided with the backup.

The Economic Development Advisory Board reviewed the project on February 13, 2013. A motion passed recommending that the Economic Development Advisory Board and the City Commission support this project. The Minutes of the Economic Development Advisory Board are provided as **Exhibit 3**.

The Marina Lofts site is located in an area that the City has identified as an archaeologically significant zone. In August 2012, pursuant to Sec. 47-25.2.P, the Archaeological and Historical Conservancy, Inc. (AHC) conducted a Phase I archaeological and historical survey to fulfill historic and cultural resource requirements for Broward County's Historic Preservation Ordinance 92-93 and the City of Fort Lauderdale Historic Preservation guidelines that require archaeological assessments within the New River Archaeological Zone. The study found that eight of the twenty-three shovel tests were positive for archeological material, with the greatest concentration of cultural material occurring in the northwestern portion of the site. The Phase I Archaeological & Historical Survey and Report is attached as **Exhibit 4**.

REVIEW CRITERIA:

Residential development proposals within the Downtown Regional Activity Center (D-RAC) are typically reviewed as Site Plan Level II (Development Review Committee) applications with City Commission allocation of dwelling units subject to meeting the intent of the Downtown Master Plan. However, because the subject site is in the Downtown Regional RAC – SMU zoning district, the proposal is subject

to Site Plan Level III (Planning & Zoning Board) review and recommendation. As is customary, Site Plan Level III Review is also required for the associated parking reduction.

As per *ULDR Sec. 47-13.20.B.4.b*, post 2003 dwelling units shall be allocated by the City Commission, subject to the application being consistent with the design guidelines of the Downtown Master Plan, or having proposed alternative designs which meet the intent of the design guidelines provided in the Downtown Master Plan.

Comprehensive Plan Consistency

The proposed development is consistent with the City's Comprehensive Plan in that the residential and commercial uses and density proposed are allowed in the Regional Activity Center land use category, which is a land use category that is intended to encourage development and redevelopment in Downtown Fort Lauderdale. The Future Land Use Element of the Comprehensive Plan permits up to 11,060 dwelling units in the Downtown RAC. The request is for 998 units. If approved there will be a remaining balance of 817 dwelling units available, including all pending projects. Staff reviewed the proposal for consistency with specific elements of the Comprehensive Plan that discuss the Downtown RAC, including the following objectives and policies from the Future Land Use Element:

Objective 1.14: Continue to utilize design guidelines and land development standards unique and specific to the Downtown Regional Activity Center area to promote quality development of a desirable nature in the City's Downtown.

This objective contains policies that encourage high-rise/high density development, quality architecture, a mix of land uses, and an improved pedestrian environment in the Downtown RAC. The project is consistent with these policies in that it is proposing higher density mixed-use buildings of an architecturally iconic nature. The proposed commercial uses on the first floor of the buildings will activate the Riverwalk, which along with the proposed improvements to the Riverwalk, will improve the pedestrian environment. However, at this time, the applicant has not proposed any additional mitigation measures that would improve pedestrian and bicycle connectivity with the surrounding neighborhood, including a unified system of pedestrian corridors as identified in Policy 14.4. Staff proposes certain conditions in the staff report herein in order to mitigate project impacts on the local street system and improve pedestrian connectivity.

Additionally, Policy 14.5 aims to preserve the open character and vistas along the New River by moderating building heights on the riverfront and by coordinating public improvements with private development. The overall project is generally consistent with this policy as the project includes a range of building heights from 28 to 33 stories. As required by the New River Master Plan, the applicant has proposed a minimum 60' building setback from the New River shoreline, which, combined with proposed improvements to the Riverwalk and a proposed walkway between the West and Central buildings, will help to retain vistas and provide for generous public access along the New River.

Objective 1.16: Concentrate development, particularly large-scale, mixed-use development, in the Downtown-RAC to discourage urban sprawl.

Objective 1.21: Encourage mixed-use developments to enhance the livability of the City through encouragement of an attractive and functional mix of living, working, shopping, and recreational activities.

Objective 1.32: Direct growth to the designated Urban Redevelopment/Downtown Revitalization Area in order to discourage urban sprawl, maximize the use of existing public facilities and centralize commercial, governmental, retail, residential, and cultural activities.

The proposed project is consistent with the above objectives as it further encourages growth in the Downtown RAC in order to support existing and future businesses, alternative transportation options and cultural activities that help to create a livable and dynamic urban center. Furthermore, the proposed mix of uses is consistent with Policy 1.21.2, which recommends mixed-use redevelopment in the Tarpon River area located southwest of the Downtown RAC.

Adequacy and Neighborhood Compatibility

The applicant has submitted narratives regarding the project's compliance with Section 47-25.3,

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. As per ULDR Sec. 47-25.3.A.3.e.i.b, consideration shall be given to the recommendations of the adopted neighborhood master plan in which the proposed development is to be located.

As per *ULDR Section 47-25.3.A.3.e.iii.a.1*, in approving a development plan, consideration shall be given to the location, size, height, design, character and ground floor utilization of any structure or use, including appurtenances; access and circulation for vehicles and pedestrians, streets, open spaces, relationship to adjacent property, proximity to New River and other factors conducive to development and preservation of a high quality Downtown Regional Activity Center District. These criteria are more expressly defined in the Downtown and New River Master Plans as outlined below.

Downtown Master Plan

The Fort Lauderdale City Commission adopted the Downtown Master Plan in November 2003, and updated in 2007 to address key issues and set the vision for the future of Downtown. Primary among these goals is the need to plan for public initiatives, while creating opportunities to leverage these with private investment. The plan promotes economic sustainability, to protect and enhance the extensive investments that have been made in Downtown.

The public sector has invested heavily in planning, in such areas as urban design, land use, zoning, transportation, affordable housing, community facilities and infrastructure. The Master Plan integrates these efforts in a comprehensive vision for Downtown. It has been conceived and supported by a wide variety of stakeholders, and public involvement was key to establishing vision and intents of the Plan.

It should be noted that the principles and guidelines of both the Downtown and New River Master Plans are general in nature as all site-specific conditions cannot be anticipated. The principles drive master plan goals and intent and are realized in the overall site context and conditions. The project is consistent with the Downtown Master Plan's intent of creating a more livable and active urban center with walkable streets and well-designed buildings. The project's 998 household units will contribute to a more active environment envisioned for the area and will help support neighborhood retail, walkability, future transit options and the following Master Plan planning principles:

- Capture a greater share of regional redevelopment;
- Increase residential opportunities Downtown, with supporting amenities;
- Strengthen areas of varied neighborhood character and distinct identity;
- Focus most intense development in a compact core;
- Surround the core with strong, walkable, mixed-income neighborhoods;
- Create extroverted, pedestrian friendly buildings;
- Get greater value from past investments and existing resources;
- Make the Las Olas - Riverwalk Corridor a top priority;
- Return the river to its central role and better connect the two sides;
- Green the Downtown with a connected system of parks, trails and streets;
- Provide alternatives to the car: walking, transit and cycling;
- Connect to the surrounding neighborhoods, the beach, and regional destinations.

In addition to these fundamental planning principles more specific, design-based guidelines are applied throughout Downtown to help achieve a number of the Plan's broader goals, especially those related to the built form. These guidelines are not meant to be prescriptive, but qualitative and reflective of a design-oriented approach that will allow flexibility to create the best possible urban environment. Creative designs that vary from these guidelines, while clearly meeting their intent, will also be considered. The following design guidelines are particularly pertinent to the Marina Lofts proposal:

- *Principles of Street Design* - Arrangement of pedestrian, bicycle and vehicular facilities within rights-of-way and street tree planting;
- *Principles of Building Design* - Relationship of a new building to its neighbors, streets, and public spaces;

- *Quality of Architecture* - Massing and scale of new buildings, both on the street and on the skyline; articulation and scale of building facades, with a particular focus on ground floor activity; Treatment and position of pedestrian and vehicle entrances, parking, and service;
- *Character Area Guidelines* - The 'Character Areas' of the Downtown Master Plan exhibit unique urban form and public space characteristics while sharing common themes relating to pedestrian-oriented design. While all three are essentially mixed-use, they are distinguished by varying building forms and ratio of residential to commercial uses.

The Marina Lofts site is in the *Near Downtown Character Area* which encourages strong framing of the street defined by emphasis on 6-8 story building 'shoulders' with towers stepped back above.

New River Master Plan

The City of Fort Lauderdale presented a vision for the future of the mile-long, Downtown stretch of the New River, and the district surrounding it approximately twenty-five years ago. Much of the original vision, has already been achieved through various efforts and redevelopment over time. The New River Master Plan, adopted by the City Commission in 2008, envisions the next stage of improvements for the New River. While the Downtown Master Plan of 2003, and the Downtown Master Plan Update of 2007, advocate for a mixed-use urban fabric of walkable, tree-lined streets, integrated transit options, a network of interconnected, distinct public spaces, and high quality architecture and urban design, the New River Master Plan, advocates for better connections between the areas along and across the River, increased public access, integration of the riverfront back into to surrounding inland neighborhoods, and encourages the highest quality development for any key sites along or near the River. The New River Master Plan focuses on the shape of public spaces, the way building edges meet these public spaces, and the interconnectedness of the areas around the New River. It is a "framework" that sets the stage for detailed design proposals.

The following Plan principles are pertinent to the Marina Lofts project:

- Envision the River as a center and not as a barrier, by connecting clusters of uses/destinations to and across the river;
- Encourage daily life and activity to complement special events, serving both locals and tourists;
- Allow for a variety of experiences along the Riverwalk, balancing river-based activity such as boating, maritime uses, and transportation, with land-based activities including cultural, housing, recreation, entertainment, and commerce;
- Strengthen links to surrounding neighborhoods and destinations;
- Improve the visual experience with exceptional architecture, landscape and streetscape design and water as a connecting design theme.

The framework or structure that guides development along the New River is based on three main themes:

Geographic Character Areas: Strong identity, sense of place, and memorable public spaces must work together to create a multi-destination, varied mile-long stretch of riverfront. To strengthen the identities of different parts of the Riverwalk, the district is divided into five "character areas". Each area with a distinct experience that plays upon its existing strengths.

The Marina Lofts project is located in the Tarpon River Neighborhood Gateway, with a defined intent as follows: "Downtown's unique waterfront, mixed-use community is envisioned to integrate maritime-related uses with residential and neighborhood-serving retail, all connected to the Riverwalk by tree-lined streets with wide sidewalks. Buildings in this area provide appropriate transitions in scale from the lower density neighborhoods to the south and west. A pleasant walk from the 7th Avenue pedestrian bridge crossing leads to a green respite at the "Rain Tree" pocket park."

The New River Master Plan provides several specific recommendations for the Tarpon River Neighborhood Gateway, below are those pertinent to the Marina Lofts proposal:

- Reconnect the street grid to the riverfront for safety and improved access with a street along the River's edge (extension of South New River Drive to 3rd Avenue);

- Maintain and enhance all connections to the Tarpon River neighborhood waterfront with active ground floors (including residential with multiple ground-floor entries), open view corridors, and streetscape improvements. Avoid vacating existing public rights-of-way;
- Create more opportunities for pedestrian-oriented, neighborhood-serving retail;
- Support maritime activities and character;
- Create new "Rain Tree" pocket park.

Connecting Destinations: Better connections are critical to the success of the Riverwalk District: visual connections, pedestrian connections, and vehicular connections. In addition to making the entire Riverwalk continuous on both sides of the river, opportunities exist to expand the visibility and accessibility of the Riverwalk inland to the surrounding neighborhoods. With streets and sidewalks, and open view corridors leading to the River, the Riverwalk can be better integrated into the larger fabric of Downtown Fort Lauderdale.

Great Architecture: The Riverwalk District, given emerging status as a major destination and center of Downtown, is one of the most appropriate locations in all of Fort Lauderdale to encourage the highest quality architecture, landscape architecture and public space design. Great architecture is subjective, and cannot be prescribed. However, creative design solutions can result in projects that meet this intent.

Restaurant, Retail & Entertainment Market Study:

The New River Master Plan includes a Restaurant, Retail & Entertainment Market Study. Among the study's recommendations:

- There will be a feasible market for restaurant, retail, and entertainment facilities on the Riverwalk when the Fort Lauderdale economy recovers;
- Fort Lauderdale building regulations should require that all new Riverwalk buildings should have a minimum of 10% commercial space or 15,000 square feet, whichever is greater;
- New riverfront condominiums should generally follow a restaurant/retail/entertainment size and location model as outlined in the Plan;
- Temporary alternative uses of restaurant/retail/entertainment space should be permitted based on market conditions;
- The south side of the Riverwalk should add other residential or mixed use buildings with additional restaurants, quick service food units, entertainment, retail shops, and activities.

While there is currently vacant retail/restaurant space along Riverwalk, typically retail/restaurant activity follows residential development. There was a substantial amount of high-end residential housing developed in the Downtown prior to the recession, however a critical mass of housing catering to diverse income levels has not yet been established. The Marina Lofts proposal, together with the already approved New River Yacht Club and New River Village Phase III, both also on the south side of the River, may help to achieve the critical mass of housing necessary to support a vibrant retail/restaurant market along the New River corridor.

Master Plan Analysis

Building sites in the Riverwalk District are subject to the Downtown Master Plan and New River Master Plan design guidelines. These plans allow for and consider creative designs that vary from the guidelines, while clearly meeting their intent. The applicant has addressed the applicable ULDR sections and the Principles and Intents of the Downtown and New River Master Plans. The response narratives are provided as **Exhibit 5**. A review of the project's consistency with the design guidelines of the Downtown Master Plan and New River Master Plan is provided below:

Building Orientation

The New River Master Plan calls for a preferred orientation parallel to the river's edge for the narrowest dimension of towers. The intent of this guideline is to preserve views of the river corridor from north and south and prevent a 'canyon' effect. For the subject project, a perpendicular orientation of the towers to the River would maximize north-south views but block east-west views from neighboring residential towers. Staff believes that the proposed building orientation therefore maintains satisfactory light and air to the streets and Riverwalk, while maintaining these views and providing for a significant publicly-accessible area along the River's edge. Additionally, under Quality of Architecture, the Downtown Master Plan calls for original and self-confident design and the proposed scheme, with its unique silhouette

visible to the north and south, would create the distinct identity for the River corridor intended by the New River Master Plan.

Height

The Downtown Master Plan calls for a preferred height of 30 floors in the project's location in the Near Downtown character area. Moving from east to west, the project's three towers are 33, 28, and 28 stories respectively. While the eastern tower exceeds the preferred height by three stories, the decrease of two stories from the maximum 30 in the two western towers creates a stepping down effect that offsets the higher eastern tower. The five-story variation in height between the towers also creates architectural interest that is preferable to three towers of the same height. The height and floor plates of the buildings are generally consistent with the Near Downtown character area location and residential use as described in the Downtown Master Plan. The unique design would create an iconic element on the Downtown skyline and create the widest section of Riverwalk.

Massing and Form

The western and middle towers meet the Downtown Master Plan intent of limiting floor plates to 12,500 square feet, with many floors being well under the maximum square footage. The eastern tower exceeds the preferred 12,500 floorplate by 2,000 to 4,000 feet above the eighth floor. However, the larger floor plates at the upper levels the east tower are offset by the architectural "fissure" element which provides access to the existing boat storage warehouse beyond.

Tower Separation

The Downtown Master Plan calls for towers located on the same site to be separated by 60 feet or more. The eastern tower is separated from the middle tower by more than 60 feet. The distance between the center and west towers is significantly less than 60 but this is a result of the project's casting of the space between towers as a bold architectural "fissure" of varying width. While distance separation of the center and west tower is less than 60 feet, the resulting building form is exemplary of the bold, self confident design called for in the Downtown Master Plan.

Setbacks and Stepbacks

The project meets the minimum shoreline setback of 60 feet from the New River as recommended by the New River Master Plan, and preserves views to the New River with setbacks ranging from 60' to 129'. The New River Master Plan also suggests varying shoulder heights and tower stepbacks, including a minimum 30-foot stepback above four stories. The proposed project does not provide for tower stepbacks; however, staff believes the intent of this recommendation is met due to the variation in building setbacks and orientation of each building, which limit the towering "wall effect" that is commonly associated with buildings located parallel to a street or river.

Summary

The proposed project is consistent with the intent of the DMP guiding principles listed above. The project's creation of 998 residential units and approximately 20,500 square feet of retail space and 12,000 square feet of restaurant space near the heart of downtown will likely have a positive impact on the economy and vibrancy of Fort Lauderdale. Its primary residential use will bring nearly 1,000 new households to the edge of the core downtown area where the highest density is encouraged. Its internal amenities will service residents, while the retail, restaurant, and public Riverwalk elements will service both residents and the larger downtown population. The mix of sizes of the units will create a corresponding range of rental rates that will accommodate a mix of household incomes.

As the site is mostly vacant, the project will establish a new denser, urban character for the area. The area's existing green character will be preserved and enhanced through the new public segments of the Riverwalk, relocation and preservation of the African Rain Tree in a new pocket park, the planting of numerous shade trees, and the lining of the garage with planted green screens. The marine character of the area is being preserved through the retention of the existing boat storage building and marina element.

The project enhances connectivity by maintaining the existing street grid and new wider tree-lined sidewalks to encourage walkability. A large portion of the ground floor is directly activated with building entrances, common areas, retail and restaurant space, and a major new segment of Riverwalk frontage. The new residents and patrons of the project's public amenities will increase pedestrian activity which will likely strengthen the economy and safety of the surrounding neighborhood.

The project's inclusion of a major Riverwalk segment will make a significant contribution to the City's investment in the Riverwalk to date. As additional missing segments are filled in, the Riverwalk will become a continuous public realm element on both sides of the River which will enhance the role of the River as the central element of the Downtown.

Traffic, Parking and Circulation

Vehicular ingress and egress into the site is provided from SW 3rd Avenue, SW 4th Avenue, and SW 4th Court. A total of 1,941 parking spaces are required for the proposed uses, as follows:

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

Residential Units				
Efficiency	1.75/unit	@ 342 units	=	599
1 bedroom	1.75/unit	@ 472 units	=	826
2 bedroom	2/unit	@ 156 units	=	312
3 bedroom	2.1/unit	@ 28 units	=	59
Retail (20,445 SF)		@ 1/250 SF x 60%	=	49
Restaurant (11,916 SF)		@ 1/100 SF x 60%	=	72
Dry Dock Boat Storage .2/space		@ 196 spaces x 60%	=	24
TOTAL:			1,941	parking spaces required

The applicant is proposing to provide 1313 parking spaces on site, a 32% reduction from current code requirement for the use. As per ULDR Sec. 47-20.3.A.5, an applicant must show that the request meets the following criteria and the reviewing body shall consider the application for parking reduction based on the criteria provided as follows:

- a. Adequacy requirements, as provided in Sec. 47-25.2; and
- b. The use, site, structure or any combination of same, evidences characteristics which support a determination that the need for parking for the development is less than that required by the ULDR for similar uses; or
- c. There is a public parking facility within seven hundred (700) feet of the parcel which the parking is intended to serve along a safe pedestrian path as defined by Sec. 47-20.4, which spaces may be used to provide parking for applicant's property without conflict with the need for public parking based on a report by the department which includes a report by the city's director of parking services and city engineer. This criteria shall not be available for a parking reduction in the central beach district; or
- d. If the application is based on two (2) or more different users sharing the same parking spaces at different hours, that the peak hour(s) for each use will be at different hours; or
- e. If the application is based on two (2) or more different users sharing the same parking spaces at the same time because one use derives a portion of its customers as walk-in traffic from the other use, that the two (2) or more uses will share the same users; or
- f. Restrictions will be placed on the use of the property or actions will be taken such as providing company vans for car pooling of employees and patrons, or consistent use of mass transit will reduce the need for required parking and there are sufficient safeguards to ensure the restriction, action, or both, will take place; or
- g. Any combination of subsections A.5.a through e; and
- h. In addition to the criteria provided above, that any alternative parking arrangement proposed will be adequate to meet the needs of the use the parking will serve and that reducing the required parking will be compatible with and not adversely impact the character and integrity of surrounding properties.

The Executive Summary of the Parking Reduction and Traffic Study dated April 29, 2013 prepared by the applicant's traffic consultant, Traf Tech Engineering, Inc. is provided as **Exhibit 6**. The City's Traffic consultant, Miller Legg Inc. has reviewed the Traf Tech study, and has requested that the applicant address certain elements as identified further below and proposed as part of site plan conditions.

Parking Reduction

The parking reduction is based on the City's parking and loading zone requirements as per ULDR Sec. 47-20.2, the Institute of Transportation Engineers (ITE), shared parking principles, internal trips associated with the mixed-use nature of the development, and other reduction factors applicable to this project. Based on the applicant's parking reduction study, the Marina Lofts mixed-use project requires approximately 1,279 parking spaces and 1,313 parking stalls are provided at the completion of all phases of development. Therefore, a parking surplus of approximately 34 parking spaces is projected for the project. The applicant's parking reduction study is accepted, however the applicant is asked to follow up on site plan conditions as required by staff and provided herein prior to Final DRC sign-off.

Local Traffic Impacts

In order to mitigate the impacts on the local street system, the applicant has recommended proposed improvements for each of the three development phases, identified in the Applicant's Executive Traffic Summary, including the following general types of improvements:

- Provide bicycle racks with each phase of development as well as public transportation information in order to encourage non-automobile mode of transportation;
- Provide Complete Streets mitigation improvements along SW 6th Street between SW 3rd Avenue and Andrews Avenue;
- Provide Complete Streets mitigation improvements along SW 3rd Avenue from Riverwalk to SW 6th Street;
- Refurbish the existing pedestrian crosswalk on the west leg of the intersection of S. Andrews Avenue and SW 5th Street;
- Complete geometric intersection improvements to SW 6th Street and SW 4th Avenue;
- Complete geometric intersection improvements to SW 6th Street and SW 3rd Avenue;
- Install a traffic-calming device (such as a speed hump) along SW 5th Avenue/SW 5th Street along the segment located west of SW 7th Avenue/SW 4th Avenue (this improvement is intended to slow down speeds along the subject residential neighborhood);
- Modify traffic signal timing at nearby intersections.

Transportation Adequacy - Circulation, Access and Site Improvements

The traffic impact analysis report and parking reduction study report as well as site plan and civil drawings regarding on-site circulation and access, drainage and other proposed improvements have been submitted by the applicant in substantially complete form, however there are still a number of outstanding comments that need to be addressed by the applicant. Therefore, the satisfaction of the transportation adequacy including circulation and access is currently still in question.

Should the P&Z Board recommend approval of the proposed development program, staff recommends that engineering conditions as provided in conditions herein be addressed by the applicant prior to final DRC approval. Alternatively, some or all of these conditions may be waived if at the P&Z meeting the applicant commits to implementation of substantial mitigation and clearly demonstrates that they will offset any transportation impact that may result from the project.

The introduction of nearly 1,000 households into a site within walking distance of a future Wave streetcar will provide ridership for the system and support the resources being spent to develop it. Access to the Wave and to other downtown areas within walking distance will offer project residents a meaningful alternative to using a car. The project will also include plentiful bicycle parking, a potential B-cycle station, and other multimodal improvements. Residents will also have access to the trolley system on Andrews Avenue. Together these multi-modal elements can provide excellent connectivity from the project to nearby neighborhoods and the City at large. The applicant is asked to implement certain conditions herein to mitigate the impacts on the local street system, to further improve connectivity and provide for alternative modes of transportation in the area.

STAFF FINDINGS:

Staff recommends the Board approve the proposal with conditions as stated below, and consistent with:

ULDR Section 47-20.3 Parking Reduction

ULDR Section 47-24.2 Table 1. Development Permits and Procedures

ULDR Section 47-25.2, Adequacy Requirements

ULDR Section 47-25.3, Neighborhood Compatibility Requirements

PLANNING & ZONING BOARD REVIEW OPTIONS:

If the Planning and Zoning Board determines that the application meets the criteria as provided in this section, the Planning and Zoning Board shall recommend that the site plan and parking reduction be approved or approved with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development or use and if consented to by the applicant.

If the Planning and Zoning Board determines that the application does not meet the criteria provided for proposed uses within the TMU on land abutting the New River and for the parking reduction, or if the applicant does not consent to any recommended conditions, the Planning and Zoning Board shall deny the application and an appeal to the City Commission may be filed by the applicant in accordance with Section 47-26B, Appeals.

CONDITIONS OF APPROVAL:

Should the Planning and Zoning Board approve the development, the following conditions are proposed:

1. Site plan approval shall be contingent upon and subject to the execution of a development agreement between the Applicant and the City of Fort Lauderdale, and shall specify any easements to be referenced on the final site plan, other development standards applicable to the property and any conditions imposed as a part of the approval;
2. Continuous public access shall be provided along the entire length of *Riverwalk* frontage as delineated on the Site Plan. Any required easements shall be provided to appropriate government entities prior to Final DRC;
3. *Riverwalk* improvements along the entire project frontage adjacent to the River's edge shall be completed and open to the public as part of Phase 1 of construction and prior to issuance of a certificate of occupancy. These improvements shall include landscape and hardscape materials, a pedestrian easement between FEC r.o.w. and existing *Riverwalk* at SW 4th Avenue to extend from the edge of the New River to the ground floor face of proposed towers, and any other improvements related to *Riverwalk*;
4. Each phase of construction shall stand on its own and meet all ULDR requirements. Construction phasing as identified on site plan sheet A-600 including when each phase will be constructed and open for public use shall be as approved by the City Commission and pursuant to the development agreement;
5. Completion of all public improvements shall be secured by a bond to be provided by the applicant, including demolition bond to permit any unfinished phase to be demolished by the City;
6. Site plan approval shall be contingent upon the City Commission adoption of a resolution approving the relocation of the African Rain Tree in accordance with ULDR Sec. 47-21.12.C.4;
7. Per the City's Engineering and Transportation & Mobility staff, prior to Final DRC approval, applicant shall address the following:
 - A. Provide minimum outbound stacking for all garage driveways;
 - B. Provide minimum dimensional requirements for ADA parking spaces;
 - C. In the present configurations of the central and east garages, the column layout, lane geometry and the circulation conflict points induce considerable constraints on pedestrians and drivers and assume that the utmost caution will be exercised and travel will be at speeds lower than what is prevalent in most garages. To the extent feasible, applicant and city staff need to reach a resolution on minimum safety and best practices for design. To that end, technical workshop(s) shall be held to identify any modifications to the currently proposed layouts;
 - D. Applicant needs to identify all design vehicles that are to be accommodated in the garage and provide vehicular turning templates to demonstrate the design vehicles are able to

- negotiate the turns and make any needed adjustments to the layout. Loading, unloading and deliveries shall not be permitted in the public rights-of-way. Applicant needs to describe their plan to safeguard against moving vans, deliveries and other loading/unloading operations from being conducted in the right-of-way;
- E. The offset intersection created by the egress driveway for the east garage at SW 3 Avenue and SW 4 Court is not safe and needs to be re-designed and a conceptual approval issued by Broward County if stop signs are proposed;
 - F. Construction staging, storage and traffic routing plan needs to be developed in more detail, especially for the latter stages of development;
 - G. Conceptual on-site and off-site drainage plans and calculations need to be developed further;
 - H. Applicant needs to identify all proposed improvements in the right-of-way and public easements that will be maintained by the development and acknowledge that a maintenance declaration will be provided prior to issuance of C.O. for Phase 1.
8. Per City's Engineering and Transportation & Mobility staff, prior to Final DRC approval, applicant shall address the following. Alternatively, some or all of these proposed conditions may be waived by the P&Z Board if the applicant commits to implementation of substantial mitigation and clearly demonstrates that any transportation impact(s) that may result from the project will be offset:
- A. Complete the distribution and assignment of traffic on all local roads and adjust LOS analysis as necessary;
 - B. Provide evidence that existing and proposed lane storage capacities accommodate queuing;
 - C. Provide summary table on impacted intersections/lane groups that show seconds of delay, additional trips, percentage of LOS D capacity, with and without development;
 - D. Provide a qualitative analysis to show correlation between traffic impact (delay and additional trips over LOS D) and proposed mitigation;
 - E. Revisit traffic levels of service provided in the report as they appear inconsistent with other studies done in the area;
 - F. Revisit proposed geometrical improvements at intersections which are not in line with the critical movement volumes and provide sketches with narratives;
 - G. Perform due diligence on required storage lengths and feasibility of constructing proposed improvements within existing rights-of-way;
 - H. Provide a more detailed mitigation report describing each item in substantial detail with assigned compliance deadline;
 - I. The mitigation plan shall incorporate/address the following:
 - i. TDM and TSM measures and traffic control (stop signs, etc.);
 - ii. Traffic Calming;
 - iii. Advance signage for low bridge at SW 5 Avenue/SW 4 Avenue;
 - iv. Geometric/lane capacity/safety improvements at SW 5 Ave and SW 4 Ave merge lane and other intersections;
 - v. Multi-Modal Connectivity improvements identified in the City consultant's report;
 - vi. Schematic map showing how connections are made to pedestrian ways, water taxi, bike paths, transit, wave, existing and future city multi-modal connectivity plan;
 - vii. Civil conceptual plans showing all off-site improvements;
 - viii. Confirmation regarding feasibility of the proposed pedestrian connection across the FEC tracks, as shown on site plan drawings;
 - ix. Conceptual civil plans for complete streets, if applicable.
 - J. Address any miscellaneous technical comments by the City's traffic consultant that have not been resolved to date that could substantially affect the results of the traffic study;
9. Boat slips near the restaurant operations should be preserved and reserved for waterborne access to waterfront dining for the local or visiting boating community;
10. Applicant shall execute a maintenance agreement at time of construction permitting for all improvements in public easements and sidewalks for hardscape, landscape, trees, and irrigation;
11. Applicant shall submit a detailed construction staging and traffic routing plan to supplement the existing phasing plan, prior to approval of a construction permit for each building;

12. Applicant shall enter into a valet parking agreement as required by ULDR Sec. 47-20 and as approved by the City Attorney prior to final DRC sign-off;
13. Any proposed trolley/bus/water taxi stop improvements at the site shall be reviewed and approved by all pertinent review agencies prior to Final DRC and completed as part of Phase 1 of construction;
14. Construction debris mitigation measures are to be included in a Construction Debris Mitigation Plan and submitted to the City's Building Official prior to issuance of a building permit for the subject development. Additional measures may be required to ensure compliance with the City's Code, as deemed necessary by the Building Official;
15. Applicant shall provide maintenance of the property pursuant to the terms of the Development Agreement between the Applicant and the City of Fort Lauderdale;
16. The Broward County Historical Commission shall be notified within twenty-four (24) hours of any potential discoveries in the event that unanticipated archeological features or artifacts are found as part of development disturbances;
17. Per the archeological assessment, Phase II units shall be excavated in the northwest portion of the western parcel to document the archeological site prior to ground-disturbance activities. Intermittent monitoring also should be conducted across the overall parcels during foundation demolition and ground-disturbing activities because of the likelihood that historic features and cultural deposits may occur across the project area that need to be documented prior to their destruction;
18. Per the School Board of Broward County, if approved the residential units are subject to 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;
19. 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.

EXHIBITS:

1. Neighbor Correspondence to date (5-3-2013)
2. Historic Preservation Board Minutes of September 11, 2012
3. Economic Development Advisory Board Minutes of February 13, 2013
4. Phase I Archaeological and Historical Report
5. Applicant's Response Narratives
6. Traffic & Parking Reduction Study Executive Summary, prepared by Traff Tech Engineering, Inc.