



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

**#22-0523**

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

**FROM:** Chris Lagerbloom, ICMA-CM, City Manager

**DATE:** June 21, 2022

**TITLE:** Quasi-Judicial De Novo Hearing – Consideration of a Resolution for Site Plan Level III Application – Waterway Use – Modification of Required Yards – Seven-Unit Multi-Family Residential Development – Lumiere – Case No. UDP-S21050 – 500 Hendricks Isle – **(Commission District 2)**

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**Recommendation**

Staff recommends the City Commission consider approving a resolution for the Site Plan Level III / Waterway Use application for “Lumiere”, a seven-unit, multi-family residential development (Case No. UDP-S21050).

**Background**

The applicant, 500 Hendricks LLC., is proposing to redevelop an existing parcel of land located at 500 Hendricks Isle. The subject property contains an existing residential building with five dwelling units which is proposed to be redeveloped with a new residential building containing seven dwelling units. The site has a Medium-High Residential land use designation and is zoned Residential Multifamily Mid Rise/ Medium High Density (RMM-25) District. A location map of the project site is provided as Exhibit 1.

The application was reviewed by the Development Review Committee (DRC) on December 14, 2021. The DRC comments are attached as Exhibit 2. The project was presented to the Planning and Zoning Board (PZB) on April 20, 2022, and was approved with staff conditions, by a vote of 4-3, subject to a 30-day City Commission Request for Review period. The April 20, 2022, PZB meeting minutes and April 20, 2022, PZB staff report are attached as Exhibit 3 and Exhibit 4, respectively. The exhibits and criteria that were covered and presented to the PZB are identified below and attached as indicated. The signed PZB Resolution No. 22-05 is attached as Exhibit 5.

- Exhibit 5 - Application, Project Narratives and Plans
- Exhibit 6 - Water Sewer Capacity Letter
- Exhibit 7 - Public Participation Meeting Summary and Affidavit
- Exhibit 8 - Public Letters of Support and Opposition

Pursuant to the City's Unified Land Development Regulations (ULDR) Section 47-26.A.2, City Commission Request for Review, on May 17, 2022, the City Commission set a de novo hearing to review the application on the June 21, 2022 City Commission agenda.

### **Review Criteria**

The following criteria apply to the proposed request:

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

### **Waterway Use**

Pursuant to the City's Unified Land Development Regulations (ULDR) Section 23.8, Waterway Use, the project shall demonstrate compliance with criteria for waterway use, which state that buildings and land uses on parcels abutting waterways in nonresidential districts and in multifamily districts shall be designed to preserve the character of the City and 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. Special design provisions are required to realize these objectives, and at the same time permit a reasonable use of land based on site and building design, setbacks, landscaping provisions and their relation to the waterway, other uses within the existing context and the overall public realm. The applicant is proposing a design that provides substantial distance between the proposed building and adjacent buildings on neighboring properties for the purpose of allowing light and air between structures, and to provide for view corridors to the waterway as intended by this code section. The proposed building design will allow larger setbacks along the north and south property lines than exist today. In addition, the building architecture incorporates features that break up the building form and soften its mass and appearance with large, expansive windows and wide balconies, thereby creating active facades and a similar building mass and scale that is compatible with other buildings within the vicinity of the surrounding neighborhood. In addition, the ULDR requires a twenty-foot landscaped yard abutting the waterway, adjacent to the bulkhead line. The required twenty-foot yard shall not be used or developed for any purpose other than landscaping and minimum driveways or walkways reasonably necessary to serve permitted nonresidential or multifamily waterfront uses, unless specifically approved by the Planning and Zoning Board. The applicant is requesting a modification to the twenty-foot landscaped yard requirement to allow for active outdoor amenity use in order to allow for the pool, pool deck and balcony encroachments above the ground floor to be placed within the required 20-foot landscape area adjacent to the waterway, as detailed in the yard modification analysis below.

### **Modification of Required Yards**

Pursuant to ULDR Section 47-23.11.A.3, Criteria for Modification of Required Yards, the Planning and Zoning Board may consider a request to modify the required yards provided that by adjustment of the yards it is found there is continuity of architectural features with adjacent properties, which encourages public pedestrian interaction between the proposed development and the existing neighborhood. The applicant is requesting to

reduce the yard setbacks from 27 feet 6 inches (equal to half the height of the building) to a minimum of 12 feet 6 inches for side setbacks, 25 feet for the front setback and 20 feet for the rear setback. The additional balcony encroachments vary due to the shape of the structure, the design of the building, and the alignment of the structure against the property line along the waterway. Per ULDR Section 47-2.2, height is measured to the top of the roof slab if the parapet wall is 42 inches or less in height. The amenities located on the rooftop terrace are not counted in the overall building height. The rooftop amenities will be removed in case of emergency and stored in the fitness room on the fifth floor. According to the applicant, the request for modification is based on the building scale, massing and architectural treatment of the building, which are consistent with the emerging development pattern of this neighborhood. Improved pedestrian experience is achieved by a proposed sidewalk connection along the street, separated from vehicular traffic by a landscape buffer. A well-defined entrance and improved landscaping in the front yard contribute to the quality of open space and encourage pedestrian interaction with the building. In addition, the design of the building incorporates a mix of natural materials, façade articulation, and the use of large glass balconies that provide transparency, movement, and visual interest along both waterway facades, as well as from the street view. Pursuant to ULDR Section 47-19.2.BB.2, the pool shall be subject to the minimum yard requirement of the zoning district in which it is located when it is accessory to a multifamily dwelling. The applicant is requesting a yard modification to allow for an outdoor pool amenity with a setback of five feet measured from the seawall. This yard modification also includes the twenty-foot landscaped yard requirement for waterway uses. The yard modification request is consistent with the pattern of pool locations in the general area.

### **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 are serviced by the City of Fort Lauderdale. A capacity letter was issued by the City's Public Works Department on March 25, 2022, which identified the plant facilities and associated infrastructure servicing this project and the project's impact on capacity. The letter states that existing water and sewer infrastructure have the capacity to support the proposed development and that no additional improvements are needed. The capacity letter is attached as Exhibit 2. The neighborhood compatibility criteria of ULDR Sec 47-25.3 include performance standards requiring all developments to be "compatible with, and preserve the character and integrity of adjacent neighborhood, the development shall include improvements or modifications either onsite 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 to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, and alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts". The properties surrounding the site are zoned RMM-25, the same zoning district as the subject property. Mass and scale of buildings in the proximity to the proposed project vary from one to five stories. The property immediately north and south of the project are setback and provide 20 feet or more separation between buildings. Most of the newer developments along

Hendricks Isle maintain similar setbacks from the waterway with the pool and pool decks encroaching into the required waterway setback. The project's design achieves appropriate scale, light and ventilation through varied massing, building separation, variation of fenestration, presence of large, curved balconies and treatment of building façades with quality materials. The vertical architectural features surrounding the building provide a unique change to the building mass and allow for a variation of the roofline. The expansive glass balconies vary to provide depth and dimension to the building, while retaining existing view corridors to the waterway and allowing for air and space between buildings.

### **Parking and Circulation**

As per ULDR Sec. 47-20, Parking Requirements, 15 parking spaces are required for the proposed project and the applicant is proposing to provide 15 parking spaces on-site. A new five-foot sidewalk will be constructed along the front of the property and will connect directly to the building lobby. The existing back-out parking configuration will be eliminated, and the required parking will be internalized in the garage, providing one ingress/egress to the site. The applicant will provide additional landscaping to create an enhanced pedestrian experience. The vehicle lights within the parking garage will be shielded behind decorative aluminum screening and landscaping material at grade. The applicant owns the small triangular piece of property, located on the west side of Hendricks Isle, they propose to construct two parallel parking spaces for additional public parking with landscaping.

### **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 Medium High Residential land use category. Staff has determined the proposed development is generally consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Housing Element, Goal 1, Objective 1.1, Preserve, enhance, and revitalize the City's existing neighborhoods, which encourages utilizing community design standards to enhance housing characteristics and neighborhood preservation. The City's Future Land Use Map indicates that the proposed project is located in the Medium-High Residential 25 dwelling units per acre land use designation. The property density under the land use would allow for seven dwelling units and the applicant is proposing seven dwelling units.

If the city commission determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for site plan level III review, based upon the de novo hearing supplemented by the record below, the city commission 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.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item is a *2021 Commission Priority*, advancing the Smart Growth initiative.

This item supports the *Press Play Fort Lauderdale 2024 Strategic Plan*, specifically advancing:

- Neighborhood Enhancement
- Goal 4: Build a thriving and inclusive community of neighborhoods.
- Objective: Ensure a range of affordable housing options

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 – DRC Comments, December 14, 2021

Exhibit 3 – April 20, 2022, PZB Meeting Minutes

Exhibit 4 – April 20, 2022, PZB Staff Report

Exhibit 5 – Signed PZB Resolution No. 22-05

Exhibit 6 – Application, Project Narratives, and Plans

Exhibit 7 – Water and Sewer Capacity Letter

Exhibit 8 – Public Participation Meeting Summary and Affidavit

Exhibit 9 – Public Letters of Support and Opposition

Exhibit 10 – Resolution Approving

Exhibit 11 – Resolution Denying

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