



REQUEST: Site Plan Level III Review: Waterway Use and Yard Modification for Seven Multi-Family Residential Units

Case Number	UDP-S21050		
Applicant	500 Hendricks, LLC.		
Agent	Andrew Schein, Lochrie & Chakas, P.A.		
Project Name	Lumiere		
Property Address	500 Hendricks Isle		
Property Size	13,273 square feet / 0.34 acres		
Zoning	Residential Multifamily Mid Rise/ Medium High Density (RMM-25)		
Existing Use	two-story, 5-unit multifamily residential building		
Future Land Use	Medium-High Residential		
Applicable ULDR Sections	47-5.36, Table of Dimensional Requirements for RMM-25 District 47-23.8, Waterway Use 47-23.11, Modification of Required Yards 47-25.2, Adequacy Requirements 47-25.3, Neighborhood Compatibility Requirements		
	Required	Proposed	
Lot Density	25 units per acre = 7.6 units	25 units per acre / 7 units	
Lot Size	5,000 square feet (minimum)	14,400 square feet / .33 acres	
Lot Width	50 feet (minimum)	100 feet	
Building Height	55 feet (maximum)	55 feet	
Landscape Area	35% = 4,645 square feet	37.4% = 4,965 square feet	
Parking	15 spaces	15 spaces	
Setbacks/Yards	Required	Proposed	
		Building	Balcony
Front (W)	½ Height = 27 feet 6 inches	25 feet	20 feet to 23 feet 4 inches
Side (N)	½ Height = 27 feet 6 inches	12 feet 6 inches	10 feet 6 inches
Side (S)	½ Height = 27 feet 6 inches	12 feet 6 inches	10 feet 6 inches
Rear (E) Waterway	½ Height = 27 feet 6 inches	20 feet	13 feet 10 inches to 17 feet
Notification Requirements	Sec. 47-27.6, Sign Notice 15 days prior to meeting Sec. 47-27.4, Public Participation		
Action Required	Approve, Approve with Conditions, or Deny		
Project Planner	Yvonne Redding, Urban Planner III		<i>ymr CP</i>

PROJECT DESCRIPTION

The applicant proposes a project consisting of seven multifamily residential units along the Rio Grande Waterway, located at 500 Hendricks Isle. The project will replace an existing five-unit multifamily building which was constructed in 1948. The proposed development consists of a five-story structure with four residential floors. The lobby, parking, and project amenities are located on the ground floor. The applicant is requesting yard modifications for the front, rear and side yard setbacks for the building, balconies, and canopies. The applicant is also requesting to allow for the pool and pool deck to be placed within the required 20-foot landscape area adjacent to the waterway. Additional amenities will be provided on the roof deck. The applicant proposes to improve the small parcel of land (approximately 2,200 square feet) they also own across the project, located on the west side of Hendricks Isle, with landscaping and two parallel parking spaces. These improvements do not count towards the ULDR requirements for landscaping or

parking for the proposed development. The proposed site plan, application and applicant's narrative responses to criteria are provided as **Exhibit 1**.

PRIOR REVIEWS

The Development Review Committee (DRC) reviewed the proposal on December 14, 2021. All comments have been addressed and are available on file with the Development Services Department.

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 a 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 the minimum amount of 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 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 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 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 residential project, as follows:

Use	Parking Ratio	Required
Residential 3-bedroom + den units	2.2 spaces / 7 unit	= 15 spaces
Total Required		15 spaces
Total Provided		15 spaces

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 eight dwelling units and the applicant is proposing seven dwelling units.

PUBLIC PARTICIPATION

This application is subject to the public participation requirements established in ULDR Section 47-27.4. According to the applicant the public participation meeting was held on March 17, 2022, to offer the neighborhood associations surrounding the property the opportunity to learn about the proposed project. The meeting notification was sent to the Hendricks Venice Isles Homeowners Association. The public participation summary and affidavit are provided as **Exhibit 3**.

In addition, this request is subject to sign notification requirements established in ULDR Section 47-27.4. The applicant has installed a total of two signs on the property and has submitted a sign affidavit indicating proper sign notification was provided.

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.

The applicant has submitted narratives outlining how the project complies with the applicable sections of the ULDR, attached as Exhibit 1, to assist the Board in determining if the proposal meets these criteria.

CONDITIONS OF APPROVAL:

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

1. 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, Park Impact Fees;
2. Prior to final DRC, applicant shall provide a School Capacity Availability Determination (SCAD) letter that confirms that school capacity is available, or if capacity is not available, that mitigation requirements have been satisfied;

EXHIBITS:

1. Site Plan, Application and Applicant's Narrative Responses to Criteria
2. Water/Sewer Capacity Letter
3. Public Participation Affidavit and Meeting Summary