



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#22-0259

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: May 17, 2022

TITLE: Quasi-Judicial Resolution Regarding a Site Plan Level II Development Permit Application for an Alternative Design Deviating from Minimum Tower Stepback Requirements and Requesting Additional Height through the Northwest Regional Activity Center (NWRAC) Affordable Housing Height Bonus Incentive for a Six-Story Mixed-Income Multifamily Building – Wright Dynasty Development – 1221 Northwest 6th Street – Case No. UDP-S21022 – **(Commission District 3)**

Recommendation

Staff recommends the City Commission adopt a resolution regarding a Site Plan Level II Development Permit for a proposed development requesting additional height through the Northwest Regional Activity Center (NWRAC) affordable housing height bonus incentive and approval of an alternative design that deviates from the minimum tower stepback requirements of the ULDR for a six-story mixed-income multifamily building.

Background

The applicant, Wright Dynasty, is seeking to construct a mixed-use, mixed-income, multifamily development containing 24 residential units with ground floor retail at 1223 NW 6th Street, located in the Northwest Regional Activity Center-Mixed Use west (NWRAC-MUw) zoning district. The applicant is providing three affordable units to be rented to residents with incomes at or below 80% of the median family income (MFI) in perpetuity. The remaining 21 units are non-restricted and can be rented as market rate. The project received funding assistance from the City's Community Redevelopment Agency (CRA) on November 17, 2020.

Section 47-13.52.B, of the Unified Land Development Regulations (ULDR) outlines performance standards by which an applicant may request additional height above 45 feet to a maximum 65 feet allowed in the NWRAC-MUw zoning district, when the project qualifies as an affordable housing development. This standard was introduced into the ULDR to help facilitate affordable housing projects, through a Site Plan Level II "Development Review Committee" (DRC) process with City Commission approval.

Additionally, the applicant has requested approval of an alternative design that deviates from minimum tower setbacks requirement of the ULDR. Per ULDR Section. 47-13.31, Table of Dimensional Requirements for the NWRAC-MU District, tower setbacks may be modified if an alternative design is found to achieve the underlying intent of the standards as provided in the NWRAC-MU Illustration of Design Standards. The ULDR requires a 20-foot tower setback at the east and west elevations. The applicant is requesting a 14-foot, 4-inch setback on the west elevation and a 15-foot, 2-inch setback on the east elevation. The applicant will be required to enter into an Affordable Housing Development Agreement under a separate approval process, to be reviewed and voted on by the City Commission prior to the issuance of building permits if the development is approved.

The DRC reviewed the proposed development on June 8, 2021, and all comments have been addressed and are attached as Exhibit 1.

The application and project narratives are included as Exhibit 2. The site plan and elevations are included as Exhibit 3.

Review Criteria

Pursuant to Section 47.24, Development Permits and Procedures, the development is subject to Site Plan Level II review criteria specifically the adequacy requirements in Section 47-25.2. The development is also subject to meeting the performance standards of Section 47-13.52.B, Performance Standards and Criteria for Additional Height Bonus and must demonstrate that the alternative design achieves the underlying intent of the standards as provided in the NWRAC-MU Illustration of Design Standards.

Adequacy Requirements

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. The applicant has addressed the Adequacy Requirements and will be properly served by public services and facilities. A Public Works Water and Wastewater Capacity Analysis letter was issued on December 29, 2021, determining the existing water and sewer infrastructure have the capacity to support the proposed development and no improvements are needed. The City of Fort Lauderdale Public Works Department Water and Sewer Availability Letter is attached as Exhibit 4.

NWRAC-MU Special Regulation and Performance Standards

ULDR Section 47-13.52.B, NWRAC-MU Performance Standards and Criteria for Additional Height Bonus, requires at least 10% of units be set-aside as affordable to be rented to households within a range that is at or below 50% to 100% of the median family income (MFI). The applicant proposes to set-aside three (3) of the 24 units as affordable at or below 80% of the MFI in perpetuity and has submitted an Affordable Housing Development Plan which outlines the number of units to be set-aside as affordable, location of units, marketing strategy and length of restriction. Prior to building permit issuance of an Affordable Housing Development Agreement and deed restriction shall be recorded in the public records of Broward County as reflected in the conditions of approval

subject to ULDR requirements for City Commission approval. The Affordable Housing Development Plan is attached as Exhibit 5. Reference Table 1, below for a breakdown of affordable housing unit distribution.

Table 1 - Affordable Housing Unit Distribution

Unit Type	Number of Units	Affordability Level
One-Bedroom	2	At or Below 80% of MFI
Two Bedroom	1	At or Below 80% of MFI

The criteria for permitting additional height, which require review of location, compatibility, and building massing, have been addressed. Nearby development consists of similar zoning categories, permitted uses, and size. Properties to the south, west, and north-west of the subject property are zoned NWRAC-MUw zoning district and properties to the north and north-east are zoned Residential Mid-Rise Multifamily / Medium-High Density (RMM-25) zoning district, containing mostly single-family residential homes but permit multi-family development.

The requested 65-foot building height is compatible with the abutting RMM-25 zoning district. As described in Section 47-5.2.A.8, the intent and purpose of the RMM-25 zoning district, is “intended for mid-rise multifamily residences and tourist accommodations” and “...shall serve as a transition from medium high density multifamily housing and hotel development to single family and midrise multifamily residential neighborhoods and shall be located in proximity to arterial or collector streets or adjacent or near to commercial shopping and office facilities or services”. Moreover, the RMM-25 zoning district permits multifamily developments at a height of 55 feet, a 10-foot differential between the requested building height.

NWRAC Illustrations of Design Standards and Alternative Design Request

The intent of the Northwest Regional Activity Center - Mixed Use west Zoning District is to promote and enhance the existing commercial and residential character of the main corridors of the NWRAC by providing a wide range of employment, shopping, services, cultural and residential opportunities through allowing a mix of residential and non-residential uses. These areas include higher densities along the corridors transitioning to the lower densities and intensities of the surrounding zoning districts.

NWRAC Master Plan

The following is a summary regarding the project’s compliance with the NWRAC Master Plan:

Quality of Architecture

The proposed building materials consists of stucco, cut stone, glass, and a decorative metal screening for the garage. The building provides a 17-foot high ground floor, pedestrian eyebrows for shading along NE 6th Street, elevated amenity space and balconies containing metal railings and glass. The building has a podium height of three floors and a 15-foot building stepback along 6th Street, which exceeds the minimum

stepback. The unique fourth floor terrace extending on the east and west side of the building create an active presence along the street frontage. Balconies are contained throughout the building, providing depth, articulation, and unit activation along all four façades.

Active Uses and Building Program

The proposed site plan includes commercial uses, and the main residential lobby fronting NE 6th Street includes 11.5-foot high windows. Parking is located on the second and third floors and is screened by perforated metal, cut stone, and decorative aluminum vents. Floors four through six contain 24 residential units, with large fourth floor terraces and balconies for each residential unit on the fifth and sixth floor. The rooftop is designed to provide additional tenant amenity space.

Streetscape Design

Building eyebrows and four street trees shade pedestrian space and the sidewalk along NE 6th Street. The proposed functioning swales include shrubs further improving the pedestrian experience.

NWRAC Master Plan Alternate Design

Per Section. 47-13.31, Table of Dimensional Requirements for the NWRAC-MU-District, tower stepbacks may be modified if an alternative design is found to achieve the underlying intent of the standards as provided in the NWRAC-MU Illustration of Design Standards. The code requires a tower stepback of 20 feet on the sides. The requested stepback deviation would permit a stepback of 14 feet, 4 inches along the west elevation and 15 feet, 2 inches along the east elevation, as shown in Table 2.

According to the applicant, deviating from the minimum stepback requirements has allowed for architectural expression, leading to a superior design that meets the intent of the Master Plan Requirements. The depth of lots along NW 6th Street creates constraints for developments seeking to take advantage of the affordable housing height incentive. The proposed deviation does not detract from the surroundings, does not limit airflow or light to nearby properties, and has made a significant effort to meet the stepback requirements along the rear, transitioning to abutting residential properties.

Table 2 - Shoulder Height, Floorplate Size and Stepback Regulations

Permitted		Proposed	Complies or Specific Request
(**) Min. Shoulder Height	25 ft (2 Stories) min	37 Feet	Project Complies
(**) Max. Shoulder Height	65 ft (5 Stories) max		Project Complies
When abutting residential	45 ft max		Project Complies

Tower Stepback	Floorplate Max	Floorplate Max	Side /Rear Stepback Min	–	–
Non-Residential	≤16,000 sf	≤16,000 sf	20 ft min	N/A	N/A
Residential	≤ 8,000 sf	≤ 8,000 sf	20 ft min	Floorplate ≤ 8,000 sf (15 Feet Stepback)	Specific Request

Public Participation

The project is subject to the public notice requirements established in ULDR Section 47-27.3., requiring notice be given by agenda posting prior to the City Commission Meeting.

Comprehensive Plan Consistency

The Comprehensive Plan and ongoing City initiatives support the development of additional affordable housing options, specifically furthering Housing Element Policy HS 1.2.9, which states that the City shall support the construction of diverse affordable housing types including multifamily residential dwelling units. The proposed project provides a mixed-income development incorporating 3 residential units for households with incomes at or below 80% of the MFI in perpetuity.

The project supports Urban Design Element Policy UD 1.1.6 which states that where buildings engage the streets, high quality building design will be promoted through the use of high-quality materials and building façade features such as transparency through high amounts of fenestration, and street activation through first floor commercial uses. The project is supported by Future Land Use Goal 1, by aligning with and promoting the distribution of land uses that meet the social and economic needs of the City of Fort Lauderdale, while ensuring compatibility of land uses and providing adequate services and facilities.

The project is further supported by Objective 1.10: Northwest Regional Activity Center (Northwest-RAC) Redevelopment Efforts and Objective 1.21: Encouraging Mixed Use Development, by providing affordable housing opportunities to very low and low-income households within the Northwest-RAC and supporting a “live, work, and shop” environment in by developing a mixed-use, affordable housing project in the area.

Conditions of Approval

Should the City Commission approve the development, the following conditions apply:

1. Prior to issuance of building permit, applicant will be required to pay a Park Impact Fee for the proposed residential units in accordance with ULDR Sec. 47-38A.
2. Applicant shall record an Affordable Housing Development Agreement and deed restriction in the public records of Broward County prior to building permit issuance.
3. Provide root-barriers along the edge of the street trees.
4. Increase size of street trees to 20 feet, per the design standards of the NWRAC Master Plan.

5. Tree canopy within a sight triangle shall have a minimum 8 feet of canopy clearance when installed, update plans at time of permit submittal.
6. Perimeter wall depicted in plans appears to have a continuous footer system. Indicate on Civil and Landscape plans that no trench and poured footer will be within 10 feet of the existing trees on the neighboring property. Provide a detail of the proposed perimeter wall at the time of permit submittal.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *2022 Top Commission Priority*, advancing the Homelessness and Housing Opportunities initiative.

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

- Neighborhood Enhancement Focus Area.
- 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
- Future Land Use Element
- Goal 2: Sustainable Development: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatibility of uses.
- Housing Element
- Goal 1: The Comprehensive Plan shall support the provision of adequate sites for future housing, including affordable workforce housing, housing for low-income, very low-income, and moderate-income families, mobile homes, and group home facilities and foster care facilities, with supporting infrastructure and public facilities.

Attachments

Exhibit 1 – DRC Comments
Exhibit 2 – Application and Project Narratives
Exhibit 3 – Site Plan and Elevations
Exhibit 4 – Water and Sewer Capacity Letter
Exhibit 5 – Affordable Housing Development Plan
Exhibit 6 – Resolution Approving
Exhibit 7 – Resolution Denying

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