

Owner/Applicant: Costa Bahia LLC
Project Name: Royal Atlantic
Request: Amendment to Site Plan
Prepared by: Christina J. Stine

DRC # 68R13
Site Plan Amendment

1. **General project information and description of amendments.** Costa Bahia LLC is the owner of property located at 435 Bayshore Drive, Fort Lauderdale. On May 14, 2014, the City Commission approved the site plan for a 10-story condominium project consisting of 31 residential units. The Applicant is submitting this administrative amendment to make upgrades to the approved site plan. Based on market analysis, the owner believes that larger units with more amenities are required to meet the demand of the target market. The proposed amendments are being proposed to respond to the demand and expectations of buyers in this target market. Specifically, the Applicant is requesting to increase each residential floor plate by approximately 3 feet with deeper balconies. In addition, the Applicant is requesting certain interior modifications required by the Florida Building Code and is requesting to include a rooftop amenity area with a pool to enhance the “fifth façade.” The number of residential units will remain the same as approved at 31. The proposed modifications to the development plan are summarized below:

- The number of three-bedroom units decreased from 24 to 22.
- The number of three-bedroom units with dens increased from 3 to 9.
- Required parking increased from 64 to 66 spaces.
- Provided parking increased from 64 to 66 spaces in the garage and 3 on-street spaces.
- The elevator core configuration changed in order to provide 2 standard elevators in place of 1 standard and 1 service elevator at each unit stack.
- The internal layout of the fitness area on the ground floor is reconfigured.
- The west setback beginning at the third level decreased from 26.6 feet to 22.7 feet.
- Each unit type has been enlarged at each residential floor as follows:
 - Unit 1 Type A & Unit 4 Type D: Unit areas have been increased to the East staying within the footprint of the approved floor plate boundary and reducing the terrace but not changing the extent of the building floor plate. Unit areas have been increased to the West by extending the building floor plate +/-3'-0" closer to the Intracoastal.
 - Unit 2 Type B & Unit 3 Type C: Unit areas have been increased to the East by extending the floor plate adjacent to the units +/-4'-0" closer to Bayshore but staying back enough that the building shape is maintained and the building setback to the east is not changed. Unit areas have been increased to the West by extending the building floorplate +/-3'-0" closer to the Intracoastal.

- Following initial City Staff feedback on the elevation changes, additional glass has been added to the proposed design including a large corner window.
- A pool is added to the rooftop.
- The building height is increased from 115' to 119'-5" when measured to the new pool deck slab. This height measurement does not measure to or include the top of a rooftop railing.
- The proposed pool design provides a 4' wide planter around the elevated pool deck.
- The square footage of the building is increased by 23,401 SF, and the F.A.R. increases by 0.68.

2. Amendment procedure.

The City's Unified Land Development Regulations ("ULDR") provide that the Site Plan may be amended pursuant to the terms of ULDR Section 47-24.2. In this case, the Applicant's modifications qualify under Section 47-24.A.A.5.c for "Other amendments" which provides that the Amendment will be reviewed by the department and then forwarded to the body that gave final approval. In this case, the City Commission was the body which gave final approval. The pertinent provisions of the ULDR are noted along with the Applicant's response to each item:

City of Ft. Lauderdale ULDR, Sec. 47-24.2.A.

5. Amendments to site plan.

a. If the applicant wishes to change the development from that approved in accordance with this section, the amendment will be required to be reviewed as a new development in accordance with the procedure for such development, except for administrative approval of an amendment in accordance with subsection A.5.b.

b. Administrative approval of amendments to site plan level III or IV.

- i. Amendment to a site plan level III or level IV permit which has been approved by the planning and zoning board or the city commission pursuant to the ULDR may be approved by the director without further review or approval by such body as follows:

- a) Any modification to reduce floor area or height of a proposed or existing building.

Applicant's Response: The applicant is not proposing a reduction in floor area or height.

- b) Any modification to allow the alteration of the interior of an existing building which does not alter the external appearance of the building.

Applicant's Response: N/A

- c) Any modification to allow minor cosmetic alteration of the external facade of an existing building, including new or renovated signage, awnings and architectural detailing, provided that the overall architectural character is not changed.

Applicant's Response: N/A

- d) Any modification increasing yards, setbacks or both, provided that the zoning district does not have a "build to" requirement. If the removal of any portion of a structure results in an increase in yard or setback, the original architectural and site character must be maintained and the department may impose conditions of approval to ensure this requirement is met.

Applicant's Response: The applicant is not proposing any increases in yards or setbacks.

- ii. Amendment to a site plan level III or level IV permit which has been approved by the planning and zoning board or the city commission pursuant to the ULDR may be approved by the director, subject to Commission Request for Review as follows:

- a) Any modification to increase floor area or height to a proposed or existing building, that does not exceed five percent (5%) of the existing or approved floor area or height.

Applicant's Response: The applicant's proposed modification increases the floor area by more than 5%, and increases the overall height of the building by approximately 4% (not including the deck railing added to the rooftop).

- b) Any modification to reduce yards or setbacks up to five percent (5%) of the existing or approved yard or setback, that does not violate the required minimum yard or setback; the building has not already received an approved yard modification; and the original architectural style and site character is maintained.

Applicant's Response: The proposed modification to reduce the setback on the west side exceeds 5%, but it does not violate the required setback of 20 feet. The east, north and south setbacks will remain as previously approved.

c. *Other amendments.* If the applicant wishes to change the development to an extent which exceeds the authority of the department to approve amendments as provided in subsection A.5.b. i or ii, the proposed amendment to the site plan level III or level IV permit will be required to be reviewed by the department and forwarded to the body which gave final approval to the original development permit. All approvals of amendments to a development permit by the Planning and Zoning Board shall be subject to City Commission Request for Review.

Applicant's Response: The project qualifies under the "other amendments" provisions due to the increase in F.A.R. and decrease in rear yard. This requires review by the DRC and City Commission (the body which gave final approval).