



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

#16-0516

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

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: July 12, 2016

TITLE: Quasi-Judicial – Resolution Approving an Amendment to Site Plan Level
IV Development Permit – Costa Bahia – 435 Bayshore Drive - Case No.
68R13A1

Recommendation

It is recommended that the City Commission adopt a resolution approving amendments to the site plan level IV development permit for the Royal Atlantic project.

Background

The project was approved by the City Commission as a Site Plan Level IV development on April 15, 2014 by Resolution 14-67, attached as Exhibit 3. The development approval is valid until October 15, 2017 through application of the two-year Florida House Bill Extension 7023.

The approved development consists of 31 multi-family residential units in a twelve-story, 115-foot structure, which includes parking on the second, third, and fourth floors and residential units on the remaining floors above.

At this time, the applicant is requesting amendments to the approved Site Plan in order to accommodate larger units, as well as to make certain interior modifications required by the Florida Building Code (FBC). The proposed amendments are summarized as follows:

- Increase building height from 115 feet to 119.5 feet;
- Increase unit sizes resulting in a larger floor area ratio (FAR) from 3.62 to 4.30;
- Decrease the west setback starting at the third building level, from 26.6 feet to 22.7 feet, and increase of 15%, but within the required setback of 20 feet.

The east, north, and south setbacks will remain as previously approved. There is no maximum floor area ratio requirement in the Intracoastal Overlook Area (IOA) zoning district. The building design is generally consistent with the approved plans and maintains a similar building form, despite of the proposed changes. In order to offset the modifications, the applicant also created additional outdoor ground level experience by

significantly reducing the enclosed area and better connecting it to the public realm. The previously approved and proposed site plan changes and applicant's narratives are provided as Exhibit 1 and 2.

The proposed amendments were reviewed by Development Review Committee (DRC) staff on January 14, 2016. All comments have been addressed.

The City Commission is to determine whether the proposed amendment to the approved development plan for the project meets the standards and requirements of the Unified Land Development Regulations (ULDR) and criteria for development in the Central Beach.

Review Criteria

Pursuant to Section 47-24.2.A.5.c of the ULDR, Amendments to Site Plan – Other Amendments, the applicant wishes to change the development to an extent which exceeds the authority of the Department of Sustainable Development (DSD) to approve the amendments, and requires the proposed changes be reviewed by DSD and forwarded to the body which gave final approval to the original development permit, which was the City Commission.

Multi-family developments up to 120 feet in height are permitted in the Intracoastal Overlook Area (IOA) zoning district, provided they meet the criteria outlined in ULDR Section 47-12, Central Beach Districts. Pursuant to ULDR Section 47-12.5.D, Intracoastal Overlook Area District, the City Commission may approve a reduction of the rear yard setback from $\frac{1}{2}$ the building height requirement to 20 feet.

Pursuant to ULDR Section 47-12.6, Central Beach Development Permitting and Approval, the following design criteria shall apply for developments in the Central Beach:

1. It shall first be determined whether the proposed development or use is compatible with the character of the overall plan of development contemplated by the revitalization plan for the Central Beach Area;
2. It shall then be determined whether the architectural design of the proposed development is compatible with the design guidelines provided in Sec. 47-25.3. The design guidelines provided in Sec. 47-25.3 are intended to provide a framework for design review of proposed developments and outline the design elements which have been determined to be compatible with the revitalization plan;
3. The design guidelines provided in this section are not intended to be exclusive. Alternative architectural and design concepts outlined in the development application will be considered during review of the development application. It shall be the applicant's burden to show that the proposed alternative architectural and design concepts are compatible with the character of the overall plan of development contemplated by the revitalization plan for the central beach area and not incompatible with the design guidelines provided in this section;

4. It shall then be determined whether the proposed development incorporates design or architectural elements which mitigate the development's impacts, if any, on existing uses in the immediate vicinity of the proposed development;
5. The goal of the city in the adoption of the revitalization plan is to facilitate development of the central beach area as a world-class destination resort. The primary objective of the design review shall be to implement the overall plan of development and to foster redevelopment as contemplated in the Revitalization Plan.

The proposed project changes do not significantly affect the approved project. The building design is generally consistent with the approved plans and maintains a similar building form. In order to offset the modifications, the applicant also created additional outdoor ground level experience by significantly reducing the enclosed area and better connecting it to the public realm.

Conditions of Approval

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

1. The residential units are subject to Broward County School Board public school concurrency review and mitigation. Applicant shall provide a student mitigation satisfaction letter from the Broward County School Board prior to Final DRC;
2. Applicant shall pay a Park Impact Fee for the proposed residential units prior to issuance of building permit in accordance with Sec. 47-38A of the ULDR;
3. Applicant shall execute a maintenance agreement at time of construction permitting for any improvements in public right-of-way, easements including sidewalks and other hardscape, landscape, tree and irrigation improvements;

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Business Development Cylinder of Excellence, specifically advancing:

- Goal 7: Be a well-positioned City within the global economic and tourism markets of the South Florida region, leveraging our airports, port and rail connections.
- Objective 2: Facilitate a responsive and proactive business climate.

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We Are Here*.

Attachments

Exhibit 1 – Site Plan

Exhibit 2 – Applicant's Narratives

Exhibit 3 – Resolution 14-67

Exhibit 4 – Resolution to Approve

Exhibit 5 – Resolution to Deny

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