



REQUEST:

Site Plan Level III Review; Conditional Use for a Social Service Residential Facility (SSRF) Level IV with 209 SSRF units, 192 residential units (independent living), 1,619 square feet of retail/restaurant space and 16,722 square feet of office space.

Case Number	R16066	
Applicant	Riverwalk Plaza Associates, LLP	
General Location	333 N. New River Drive East	
Property Size	48,825 square feet / 1.12 acres	
Zoning	Regional Activity Center – City Center (RAC-CC)	
Existing Use	4-story office building and parking.	
Future Land Use Designation	Downtown Regional Activity Center (D-RAC)	
Applicable ULDR Sections	47-18.32 Social Service Residential Facilities 47-24.3 Conditional Use 47-25.2, Adequacy Requirements 47-25.3, Neighborhood Compatibility Requirements	
	Required	Proposed
Lot Density	No maximum	371.2 DU/Net Acre
Lot Size	N/A	34,791 SF/.7987 acres
Lot Width	N/A	185'
Building Height	No maximum	42 stories/456'-6"
Structure Length	No maximum	163'-6"
Landscape Area	N/A	2,358 SF / 7%
Parking	No minimum	178
Outdoor Recreation Space	7140 square feet total (238 beds x 30 square feet, 1/3 landscaped = 2,380 square feet of landscape area)	21,424 square feet total, 3,236 square feet of landscape area
Living/Dining/Recreation Space	9,520 square feet (238 beds x 40 square feet)	51,787 square feet
Setbacks/Yards	Required	Proposed
Front (S)	19' from curb*	30'-9" from curb
Side (E)	0'*	6'-2"
Side (W)	35'*	15'
Rear (S)	0'*	0'
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	Randall Robinson, Planner III	

*Downtown and New River Master Plan Design Guidelines

PROJECT DESCRIPTION:

The applicant proposes a project consisting of 192 multifamily, independent living residential units, 209 SSRF units, 1,619 square feet of restaurant/retail, 16,722 square feet of office and 178-space parking garage located at 333 N. New River Drive East. The development consists of a 42-story tower, including four levels of parking.

PRIOR REVIEWS:

The Development Review Committee reviewed the proposal on March 28, 2017. The Design Review Team reviewed the proposal on March 20, 2017. All comments have been addressed.

REVIEW CRITERIA:**Social Service Residential Facility (SSRF)**

The proposed use meets the definition of a Level IV SSRF as it is a facility designed to be occupied by seventeen (17) or more residents with staff levels as may be required by the State of Florida. The principal purpose of the facility shall be to provide personal care, shelter, sustenance and other support services.

Pursuant to ULDR Section 47-18.32, Social Service Residential Facilities (SSRF), no permitted SSRF use shall be granted development approval until the City has made a determination that the proposed SSRF has met all of the requirements in the specific zoning district in which the proposed SSRF is to be located, subject to Conditional use approval.

Pursuant to ULDR Section 47-18.32.G.1.c, dispersal requirements shall not apply to SSRF facilities on property located entirely within nonresidential districts. However, SSRFs proposed to be located in non-residential districts shall be one thousand five hundred (1,500) feet from any existing SSRF or child care center in a residential district.

Riverwalk Residences of Las Olas is not located in a residential district and is not located within one thousand five hundred (1,500) feet of any existing SSRF or child day care center within a residential district.

The applicant has provided a narrative addressing the criteria in ULDR Sec. 47-18.32, to assist the Board in determining if the proposal meets the criteria. Staff concurs with the applicant's assessment. To review the criteria and the applicant's responses please see narrative provided as Exhibit 1.

Conditional Use:

Social Service Residential Facilities proposed in the Regional Activity Center-City Center (RAC-CC) zoning district are subject to a Conditional Use permit.

The following review criteria shall be applied in considering an application for a conditional use permit:

1. Impact on abutting properties as evaluated under the Neighborhood Compatibility Requirements, Sec. 47-25.3;

Riverwalk Residences has been designed to mitigate any impacts on abutting properties. The building has been oriented to be located on the north of the property with the tower sited and oriented to respect the vertical open space of the existing condominium to the East. The use of a parking garage eliminates the need for surface parking, and reduces runoff. Storm water discharge will meet all State, County and City Engineering standards.

The on-site vehicular movement of Riverwalk Residences has been designed to be safe and convenient through internalizing all vehicle movements to the site, including deliveries and all vehicles visiting the building. Further, no offsite parking is proposed. In addition, the building has been designed so that all service and emergency vehicles access the building through its internal loading areas – thereby not only providing safe movement but also mitigating any noise or other impacts to surrounding properties.

The garage and service areas are located inside the building as far from New River Drive as possible. The façade of the garage is designed to fully screen the garage from street level view. The tower is oriented in such a way as to reduce impacts on surrounding

properties. The tower floorplates are less than the preferred floorplates found in the Downtown Master Plan for the Downtown Core area allowing maximum light and air to reach pedestrian level.

In order to prevent light pollution and excessive light reaching neighboring properties, shielding is provided for undesirable garage lighting. Mechanical equipment noise will be designed to be muffled with sound attenuation installations to meet the City's noise ordinances.

For additional information refer to the Adequacy and Neighborhood Compatibility section herein.

2. Access, traffic generation and road capacities. Consideration will be given to the design capacity of the adjacent roadways, the particular traffic generation characteristics of the proposed conditional use, including the type of vehicular traffic associated with such uses, and traffic generation characteristics of other uses permitted in particular zoning districts;

By mixing uses in one building, Riverwalk Residences meets the goal of reducing the number of automobile trips within the downtown. 921 net new vehicle trips will be generated by the site after applying credit for the existing office building on site. For further details see Parking and Mobility section below.

3. The applicant must show and it must be found by the reviewing body that the following have been met;
 - a. The location of the use or structure is not in conflict with the City's Comprehensive plan;

Riverwalk Residences is consistent with the goals, permitted uses and development intensity set forth in the RAC land use designation which is intended to encourage quality development and give definition to the urban form. Further the City's Comprehensive Plan in the Housing Element subsection identifies that "...the City has recognized the importance of including higher density residential development in its and other parts of the City to generate urban activity in off-hours and weekends, as well as providing an alternative housing choice for more urban lifestyles...." As the population ages, alternative residential options should be provided for senior residents, many such residents desire to have an active urban lifestyle, while still being able to acquire assisted living care if needed. The Riverwalk Residences helps provide such housing options and serves to increase the diversity of housing choices in the Downtown core.

Refer to the Comprehensive Plan Consistency section herein for additional information and analysis of Comprehensive Plan goals.

- b. Off-site or on-site conditions exist which reduce any impact of permitting the use or structure;
 - c. On-site improvements have been incorporated into the site plan which minimize any adverse impacts as a result of permitting the use or structure;
 - d. The location of the use in proximity to a similar use does not impact the character of the zoning district in which the use is located;
 - e. There are no adverse impacts of the use which affect the health, safety and welfare of adjacent properties.

Riverwalk Residences is located in the Downtown Regional Activity Center zoning district, is defined as a high-intensity central downtown core area intended to

accommodate a mix of uses for a variety of users and to support "a wide range of employment, shopping, service, cultural, higher density residential and other more intense land uses".

The project has mitigated potential adverse impacts from noise, lighting and traffic. Street lighting activates the area without providing excessive light spillage. The active adult community does not produce excessive noise. Parking is contained within an enclosed garage and entry and exit drives to the garage are located off of New River Drive. The loading area is located internal to the property, and the loading areas have been designed so that delivery vehicles will pull under the building to avoid traffic congestion. Further, the vent fans for the restaurant have been intentionally located on the western face of the building – away from the existing residential uses. A Traffic Statement has been submitted with this Application, demonstrating that the community does not produce in excess of 1,000 peak hour trips. See Parking and Mobility Section below for more information.

The current use of the property is a four-story office building with surface parking lot and, without an active street frontage or canopy trees along its perimeter, discouraging pedestrian movement. In its place, the proposed Riverwalk Residences provides a mixed use structure which integrates into the Downtown Core. The Riverwalk Residences project is located on Riverwalk, a pedestrian-oriented linear park along the New River. The context of this location encourages pedestrian mobility. The project will enhance interconnectivity with other destinations in the downtown through improvement of the pedestrian experience, including a lushly-landscaped walkway, with a minimum 7-foot-wide clear path, connecting SE 3rd Avenue with Riverwalk. The walkway widens at its juncture with Riverwalk to provide a welcoming entry to the City's premier public open space. The sidewalk in front of the project will be widened to provide a minimum 7-foot-wide clear path. Specialty paving on the new sidewalk will enrich the public realm and canopy trees will be spaced to provide maximum shade across the frontage of the property.

To activate the public realm, a ground floor retail/restaurant space will greet passers-by beyond a wide, landscaped plaza suitable for outdoor seating. Three Broward County Transit bus routes run on NE 3rd Avenue including routes 20, 50 and the Breeze. Additionally, the Wave streetcar will run on SE 3rd Avenue along the west side of the property.

Riverwalk Residences provides a housing option not currently available in the downtown and is specifically directed towards the older and aging members of our community. As the City's population ages, the demand for high-end luxury living in the downtown increases. Older residents who live in the Downtown Core have easy pedestrian access to downtown amenities and destinations. Riverwalk Residences provides for that proximity and will meet an ever-growing need as our population continues to live longer and healthier lives. By housing active seniors, the project will add a new dimension to the mix of uses in the surrounding neighborhood. By providing a portion of the units as assisted living units, convenient and pedestrian access is provided for residents to downtown destinations, including offices, restaurants, and cultural amenities such as museums and the Performing Arts Center. Riverwalk Residences provides a housing option not currently available in the downtown which is specifically directed towards older and aging members of our community. The project provides for a convenient lifestyle with proximity to uses and services and will meet an ever-growing need as our older population continues to live longer and healthier lives.

The Riverwalk Residences site is located in a regional activity center zoning district which promotes a mix of uses. The project is designed to mitigate adverse impacts from potential noise, lighting and traffic; Street lighting activates the area without providing excessive light spillage. The active adult community does not produce excessive noise. Parking is contained within an enclosed garage and entry and exit drives to the garage are located off of New River Drive. The loading area is located internal to the property, and has been designed so that delivery vehicles must enter the building to prevent traffic congestion. Further, the vent fans for the restaurant have

been intentionally located on the western face of the building – away from the existing residential uses.

Riverwalk Residences is consistent with the goals, permitted uses and development intensity set forth in the RAC land use designation which is intended to encourage quality development and give definition to the urban form. Further, the City's Comprehensive Plan in the Housing Element subsection specifically identifies that "...the City has recognized the importance of including higher density residential development in its downtown and other parts of the City to generate urban activity in off-hours and weekends, as well as providing an alternative housing choice for more urban lifestyles...." As the population ages, alternative residential options should be provided for senior residents. Many seniors desire to have an active urban lifestyle, while still being able to acquire assisted living care if so needed. Riverwalk Residences will provide such housing options and serves to increase the diversity of housing choices in the Downtown Core. The fully self-contained project is bounded on two sides by public right-of-ways. The character of the zoning district will not be impacted as there is no other SSRF in the district or in proximity.

The applicant's narrative, provided as Exhibit 1, addresses the Conditional Use criteria to assist the Board in determining if the proposal meets these requirements. Staff concurs with the applicant's assessment.

Adequacy and Neighborhood Compatibility:

The neighborhood compatibility criteria of ULDR Sec 47-25.3 require that consideration shall be given to the recommendations of the adopted neighborhood master plan in which the proposed development is to be located, or which it abuts, although such neighborhood master plan shall not be considered to have the force and effect of law. When recommended improvements for the mitigation of impacts to any neighborhood, conflicts with any applicable ULDR provision, then the provisions of the ULDR shall prevail. In order to ensure that a development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, 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, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

The 'adopted neighborhood master plan' in this case is the Downtown Master Plan (DMP) together with, as the parcel fronts on Riverwalk, the New River Master Plan (NRMP). Riverwalk Residences of Las Olas was evaluated for its compliance with the DMP's and NRMP's Principles of Street Design, Principles of Building Design, Quality of Architecture and Character Area standards. The design exceeds the NRMP River Park Promenade Character Area front setback with a 37-foot setback from the street, where the minimum is 19 feet, and 74 feet from the river's edge where the minimum is 60 feet. The tower setback is 27 feet-two inches, which closely approximates the 30 foot preferred minimum. Continuous balconies and generous glass treatment lend interest to the building façades. Projecting floor plates of alternating lengths, a 'sky garden' on the 16th floor and other architectural features animate the building further. Open space has been concentrated at the front of the site, as detailed above, to serve as useable pedestrian public space in the form of a landscaped plaza. Facing Riverwalk, the parking garage is lined with habitable space which wraps the southwest corner of the building to partially line the west face of the parking garage. Where not lined with habitable space, the parking garage is screened with a richly-articulated screening punctuated by tile mosaics depicting vegetation. The average tower floor plate size is well below the 12,500 square foot maximum for residential towers in the Downtown Core character area.

As the project includes independent living dwelling units, it will be reviewed by the City Commission for compliance with the Master Plans in order to allocate the residential dwelling units. The properties to the east and north of the site are zoned Regional Activity Center-City Center (RAC-CC), to the west is the SE 3rd Avenue Bridge and to the south is Riverwalk. The buildings surrounding the project site range from 22 to 31 stories. Directly to the north of the site is a 22-story office building and directly to the east is the 31-story Water Garden condominium. The proposed development succeeds in creating a building form that complies with the standards of the Downtown Master Plan.

The applicant has submitted narratives regarding the project's compliance with Section 47-25.2, Adequacy Requirements, and Section 47-25.3, Neighborhood Compatibility Requirements, attached with the site plan and submittal material, to assist the Board in determining if the proposal meets these criteria. Staff concurs with the applicant's assessment. In addition, the plan set includes a context plan and perspective renderings depicting the height, mass, scale, shadow, materials and details, etc. of the proposed development as it relates to surrounding properties.

Parking and Mobility:

Vehicular ingress and egress into the site is provided from North New River Drive East. The on-site vehicular movement of Riverwalk Residences has been designed to be safe and convenient through internalizing all vehicle movements to the site, including deliveries and all vehicles visiting the building. Further, no offsite parking is proposed. The building has been designed so that all service and emergency vehicles access the building through its internal loading areas – thereby providing safe movement and mitigating noise or other impacts to surrounding properties.

A total of 178 parking spaces are provided for the proposed uses as follows:

As per ULDR Sec. 47-20, Parking Requirements:

Retail in RAC-CC, no parking requirement

Residential in RAC-CC, no parking requirement

Total Spaces Provided 178

A Traffic Impact Statement dated July 13, 2017 and prepared by Langan Engineering indicates the project is expected to generate 1,250 daily vehicular trips; 72 morning peak hour and 107 afternoon peak-hour trips. However, the net-new vehicle trips generated by the site after applying credit for the existing office building will be 921 daily; 27 morning peak hour and 10 afternoon peak hour net-new trips. The trip generation of the existing office building was calculated and subtracted from the project's trips to estimate the number of net new trips. Trip generation tables, internalization tables and excerpts from the ITE manual are included in Attachment C of the Traffic Impact Statement attached herein as Exhibit 2.

The City's Transportation & Mobility Department staff has reviewed the applicant's traffic study and has determined it to be acceptable. The methodology used is in accordance with standards the Department regularly uses when reviewing traffic impact statements or studies. The proposed development will produce fewer trips than what is required for a traffic study, and further traffic analysis is not required.

Comprehensive Plan Consistency:

Pursuant to the City's Comprehensive Plan, the project is located in the Downtown Regional Activity Center (D-RAC). The proposed development and uses are consistent with uses allowed in this land use category. The D-RAC land use designation applies to the downtown geographic area which contains a mixture of large scale business, cultural, educational, governmental and residential uses which are in close proximity to mass transit resources as well as the airport, port, rail and bus terminal. The purpose of the D-RAC is to foster an active downtown within which one can

work, live, entertain and shop. The project is therefore designed as an integral part of a "live, work play" downtown environment, with access to multi-modal mobility options.

The project complies with Future Land Use Element Objective 1.14 regarding the use of design guidelines for the Downtown Regional Activity Center. Specifically, the project complies with Policy 1.14.5 regarding applying streetscape guidelines for the Downtown-RAC including landscaping and other pedestrian amenities. The project also implements Policy 1.14.6 related to continuing to implement the Riverwalk Plan, consistent with the City's revitalization effort. The project also complies with Objective 1.21 regarding encouraging mixed-use developments to enhance the livability of the City through encouragement of an attractive and functional mix of living, working, shopping, and recreational activities.

Considering the inclusion of retail uses on the first floor the project supports Housing Element Objective 5.2 which requires residential amenities necessary to support downtown housing. The project specifically complies with Policy 5.2.1: requires the development of active uses on ground floors appropriate to residential needs.

Public Participation

The Conditional Use request is subject to the public participation requirements established in ULDR Sec. 47-27.4. According to the applicant, they have held two public participation meetings on May 22, 2017 and June 19, 2017 in order to offer the affected Downtown Civic Association the opportunity to learn about the proposed project.

The information and affidavits are provided as Exhibit 3.

STAFF FINDINGS:

The project has demonstrated compliance with applicable sections of the ULDR, the Downtown Master Plan and the New River Master Plan. Staff recommends the Board approve this request with conditions as stated further below, and consistent with:

ULDR Section 47-18.32 Social Service Residential Facilities

ULDR Section 47-24.3 Conditional Use

ULDR Section 47-25.2, Adequacy Requirements

ULDR Section 47-25.3, Neighborhood Compatibility Requirements

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.

CONDITIONS OF APPROVAL:

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

1. If approved, the residential units are subject to School Board of Broward County public school concurrency review and mitigation. As applicable, applicant shall provide a student mitigation satisfaction letter from the Broward County School Board prior to Final DRC approval.

2. 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.

EXHIBITS:

1. Applicant's Narratives
 2. Traffic Impact Statement
 3. Public Participation Information and Affidavit
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