



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

#17-1022

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

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

DATE: September 19, 2017

TITLE: Quasi-Judicial Resolution Approving a Site Plan Level II Development
Permit Allocating 329 Downtown Dwelling Units, Las Olas Walk-North –
Las Olas Co., Inc. – 116 S. Federal Highway – Case Number R16059

Recommendation

It is recommended that the City Commission adopt a resolution approving a Site Plan Level II Development Permit that includes the allocation of 329 Downtown Dwelling Units for the “Las Olas Walk-North” multi-family residential development.

As the development is bifurcated into North and South portions by SE 2nd Street, Memo #17-1021, pertaining to the South portion, is associated with this Memo.

Background

Pursuant to the City’s Unified Land Development Regulations (ULDR) Section 47-13.20, Downtown RAC review process and special regulations, the applicant, Las Olas Co., Inc., submitted a development permit application for the construction of an 8-story development fronting on US 1 between SE 1st Street and SE 2nd Street, in the Downtown Regional Activity Center-East Mixed Use (RAC-EMU) Zoning District. The North portion of the development will consist of 329 residential units. 4th and 8th level pedestrian bridges over SE 2nd Street provide connection between the North portion residential units and the parking garage in the South portion. The site plan is provided as Exhibit 1.

Pursuant to Section 47-13.20., Downtown RAC Review Process and Special Regulations, allocation Downtown Dwelling Units shall not take effect until the application is reviewed and approved by the City Commission. The City Commission is to review the application and determine whether it is in compliance with the criteria and if it is consistent with the Downtown Master Plan (DMP) design guidelines, or has proposed alternative designs which meet the intent of the design guidelines. Should the allocation of the 329 Downtown Dwelling Units for the proposed development be approved, 1462 dwelling units will remain in the RAC unit pool.

As shown in the table below there are two other projects on this agenda requesting Downtown Dwelling Units; Riverwalk Residences of Las Olas (CAM #17-1127) and 488 Residences (CAM #17-1120) along with Las Olas Walk South (CAM #17-1021).

The project was reviewed by the Design Review Team (DRT) on September 21, 2016 and by the Development Review Committee (DRC) on October 25, 2016. The applicant has addressed all comments and the project received preliminary approval on August 14, 2017. The application and record and report of the DRC and DRT are attached as Exhibit 2. The remaining documentation is on file with the Department and is available upon request.

The application was reviewed for consistency with the design guidelines of the DMP. The project is consistent with the DMP's intent to create a vibrant, pedestrian-friendly "live, work, play" downtown environment. A few project highlights are listed below:

- As the parking garage for the project is located in the South portion, there is no parking garage in the North portion, providing for a fully urban building with habitable space facing all three street frontages as well as wrapping around the head of the Himmarshee Canal;
- All six facades, facing outward to the streets and inward to the canal, balance rich materials with modernist restraint. Projecting balconies with parapets of varying materials provide articulation and interest;
- Walk-up residential units line the ground floor facing SE 1st Street and SE 2nd Street, animating the pedestrian realm;
- Through two pedestrian easements, public access to the canal's edge will be provided at the canal head and at the east end of the project, creating a unique semi-public urban space where none exists today. The canal edges will be planted with mangroves to provide for ecological restoration;
- The pedestrian realm along US 1 will be animated by the west ground floor frontage, containing the fitness center and residential lobby, and bifurcated by a 15-foot-wide breezeway leading to the head of the canal and the internal north-south driveway which is paved such that it will appear as a pedestrian space when cars are not present. The ground floor spaces will feature high ceilings and are designed to accommodate retail/restaurant space should market forces make it desirable in the future. Further, an arcade, matching the interior ceilings in height will line the US 1 frontage;
- The westernmost wall panels of the north and south facades wrap around and over the end units on the 8th floor to become eaves, creating a distinctive roofline. The projecting eaves over the end units are uplit at night, further distinguishing the roof line; and,
- To provide for a safe and comfortable pedestrian realm, and as per the DMP, parallel parking will buffer pedestrians from traffic and shade trees will be placed approximately 30 feet apart between the sidewalk and curb, with palms marking the street corners.

Mobility and Parking

Vehicular ingress into the North portion is provided from SE 1st Street with egress on to SE 2nd Street. The applicant is proposing a 616-space parking garage in South portion, serving both the South and North portions. A sidewalk with a minimum 7-foot-wide clear path, lined with shade trees is planned for the perimeter of North portion, providing 912 linear feet of new sidewalk.

The applicant's traffic impact study, prepared by Tinter Traffic, LLC, dated March 27, 2017 concluded the following:

- The proposed redevelopment is expected to generate an additional 1,932 vehicles per day, 135 vehicles per hour during the AM Peak Hour and 157 vehicles per hour during the PM Peak Hour. Although the net change in average daily traffic is expected to increase more than the amount of traffic specified in the City Code that requires the completion of this Traffic Impact Study, the actual impact during the Peak Periods will be minimal and will, therefore, have negligible impact on the operating characteristics on the surrounding roadways during those Peak Periods;
- Las Olas Boulevard, Broward Boulevard, U.S. 1 and S.E. 8th Avenue are all operating at acceptable Levels of Service and are expected to do so after the construction of Las Olas Walk project;
- Because of the anticipated change in southbound traffic on a portion of S.E. 8th Avenue, during both the AM & PM Peak Hour, the LOS on this roadway will be reduced from LOS "C" or "D". This change in LOS is, however, within acceptable levels;
- The impacts on the seven closest signalized intersections will be minimal. The average delay per vehicle will increase only minimally, causing no change in LOS at any of these locations;
- The impact of the proposed redevelopment project will not affect the Level of Service being experienced at the seven intersections included in this study;
- Certain movements within the intersection of Broward Boulevard and Federal Highway are experiencing and will continue to experience low LOS during Peak Periods. Saturated traffic conditions will continue to exist in the future, with or without the proposed development. This intersection is an expanded intersection of two Broward County major arterials. As a result, Broward County addresses these conditions through the Transit Oriented Concurrency program, i.e. improvements to operating conditions are developed through improvements to the County's transit system; and,
- No off-site roadway or signal modifications are required to accommodate the site generated traffic.

The City's Transportation and Mobility Department staff has reviewed the study and has concurred with the findings.

The traffic impact study summary is included as Exhibit 3.

Comprehensive Plan Consistency

Staff has determined that the proposed project is generally consistent with the City's Comprehensive Plan, Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.14, Use of Design Guidelines for Downtown Regional Activity Center (DRAC) to promote quality development, Objective 1.15, Transition Zones for DRAC to ensure compatibility with adjacent neighborhoods, and Objective 1.16, concentrate development, particularly large-scale, mixed-use development, in the Downtown-RAC to discourage suburban sprawl.

The City's Future Land Use Element Map indicates that the site is located in the DRAC land use designation. This designation permits a range of uses in a mixed-use, multi-modal supportive environment. The proposed project is consistent with the DRAC land use designation as outlined in the Comprehensive Plan.

Furthermore, the Comprehensive Plan requires that the City track development in the DRAC and monitor the number of units allocated to individual projects. Table 1 below identifies unit allocation from the current available dwelling unit pool, which is the new 5,000 unit pool approved in January 2017, and includes the number of affordable housing units to date. Note that Broward County imposed a condition that 15% of residential units from this pool (750) be set aside for affordable housing. The condition sets the issuance of a building permit for the construction of the 2,501st dwelling unit, the half-way point of the total unit allocation, as a marker providing that no additional market rate units can be permitted or built if less than 375 affordable housing dwelling units have been permitted or built at that time.

Table 1 – 2017 Downtown RAC Unit Summary

Case	Approval Date	Owner	Project	Address	Existing Units	Assigned Units	Market Units	AFH Units
R16016	4/19/17	New River III LLC	New River Yacht Club III	416 SW 1st Ave	-	-	158	-
R16049	4/19/17	Las Olas Riverfront LP	Riverfront	300 SW 1st Ave	-	-	555	-
R17018	7/11/17	Third Street Development, LLC	FAT City	300 N. Andrews Avenue	-	-	612	-
R17032	8/22/17	212 Partners, LLC	2 nd Street Residences	212 SE 2nd Ave	-	-	348	-
R16066	9/19/17	Riverwalk Plaza Associates LLP	Riverwalk Residences of Las Olas	333 N. New River Dr. East	-	-	297	-
R17005	9/19/17	SWFB, LLC	488 Residences	488 SW 1 Avenue	-	-	362	-
R16058	9/19/17	Las Olas Co., Inc.	Las Olas Walk-South	200 S. Federal Highway	-	-	127	-
R16059	9/19/17	Las Olas Co., Inc.	Las Olas Walk - North	116 S. Federal Highway	-	-	329	-

Notes: (1) Pending projects are projects currently under DRC review; (2) There are 170 units remaining from the 2003 unit pool for allocation to a pending project north of Broward Blvd.; (3) There are 34 flex units available for allocation to a pending project in Flex Zone 49, North of Broward Blvd.	Total	2788	0
	2017 RAC Units	4,250	750
	Units Remaining	1462	-
	Pending	0	0

CONDITIONS OF APPROVAL:

Should the Planning and Zoning Board recommend approval of the development, the following conditions are proposed:

1. Applicant will be required to pay a Park Impact Fee for the proposed dwelling units prior to issuance of building permit in accordance with ULDR Sec. 47-38A;
2. Prior to final DRC, either one of the following shall be submitted: proof and confirmation from the School District that the residential development is exempt or vested from the requirements of public school concurrency, or a School Capacity Availability Determination (SCAD) letter that confirms that capacity is available, or if capacity is not available, that mitigation requirements have been satisfied;
3. Prior to issuance of building permit, applicant shall record a public right-of-way easement dedication along the north side of SE 2nd Street consisting of five (5) feet to complete the minimum fifty foot right-of-way section as approved by the City Engineer;
4. Prior to issuance of building permit, applicant shall record a public right-of-way easement dedication along the south side of SE 1st Street consisting of five (5) feet to complete the minimum fifty foot right-of-way section as approved by the City Engineer;
5. Prior to issuance of building permit, applicant shall record a pedestrian sidewalk access easement dedication along the north side of SE 2nd Street to accommodate a portion of the seven foot pedestrian clear path as approved by the City Engineer;
6. Prior to issuance of building permit, applicant shall record a public sidewalk access easement dedication along the south side of SE 1st Street to accommodate a portion of the seven foot pedestrian clear path as approved by the City Engineer;
7. Prior to issuance of building permit, applicant shall dedicate a ten foot by fifteen foot utility easement dedication for any four inch or larger water meter and /or the first private sanitary sewer manhole located within the proposed development and outside of any right-of-way easement dedication to facilitate City maintenance access as approved by the City Engineer;

8. Prior to issuance of building permit, applicant shall address the proposed encroachments (raised sidewalk, retaining wall, backflow preventers, storm drain system, building overhangs, signage, or any other encroachment) into the public rights-of-way or right-of-way easements through application and approval of a revocable license agreement by the entity with jurisdiction over that portion of the public right-of-way;
9. Prior to Final DRC approval, applicant shall obtain a letter of water & wastewater service availability from the City's Public Works – Engineering Department;
10. Prior to Final DRC approval, applicant shall obtain concurrence from Florida Department of Transportation (FDOT) and City Public Works Department for proposed realignment of FDOT storm drain outfall from S Federal Highway, along SE 1st Street, to Himmarshee Canal.

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 Neighborhood Enhancement Cylinder of Excellence, specifically advancing:

- Goal 5: Be a community of strong, beautiful, and healthy neighborhoods.
- Objective 2: Enhance the beauty, aesthetics, and environmental quality of neighborhoods.

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

Attachments

Exhibit 1 – Site Plan
Exhibit 2 – Application, DRC and DRT Comments
Exhibit 3 – Traffic Impact Study Summary
Exhibit 4 – Resolution Approving Site Plan
Exhibit 5 – Resolution Denying Site Plan

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