



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

**#17-1330**

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

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

**DATE:** December 5, 2017

**TITLE:** Quasi-Judicial – Resolution Approving a Site Plan Level IV Development  
Permit – Bahia Mar - Rahn Bahia Mar, LLC. – 801 Seabreeze Blvd. –  
Case R17040

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**Recommendation**

It is recommended that the City Commission adopt a resolution approving a Site Plan Level IV Development Permit associated with the development known as Bahia Mar.

**Background**

The City Commission shall determine whether the proposed development plan for the Bahia Mar project meets the standards and requirements of the Unified Land Development Regulations (ULDR) and criteria for development in the Central Beach area.

The applicant, Rahn Bahia Mar, LLC., is proposing to construct a project consisting of a new 256-room hotel, to replace the existing Bahia Mar Hotel, with 118,815 square feet of commercial and retail space, 26,000 square feet of restaurant space, and a 6,000 square foot marina village with marina amenities and dockmaster facilities. The project will contain seven residential buildings with 651 units surrounded by a waterfront promenade, plaza space, and a centralized park fronting the Intracoastal Waterway. The overall site is approximately 15.96 acres of upland with a total of 38.65 acres including submerged land. The subject site has an underlying land use designation of Central Beach Regional Activity Center (Beach-RAC) and is zoned South Beach Marina and Hotel Area District (SBMHA).

The applicant is proposing a construction phasing plan that contains five phases to be constructed within the seven year time frame for more than one principal structure as provided for in ULDR Section 47-24.1.M.2. The first phase will contain Buildings 1 and 2, which include multi-family residences with ground floor commercial space and Building 5, which includes the marina village and dock master space, as well as the waterfront promenade and the majority of frontage along Seabreeze Boulevard. Phase two will contain the redevelopment of the Bahia Mar Hotel and Building 3. The remaining phases are divided by building and generally reflect the building footprint

area. A breakdown on the phasing is as follows:

- Phase 1:
  - Perimeter promenade
  - Buildings 1 and 2, residential units and ground floor retail
  - Building 13, dockmaster building
  - Building 5, the marina village
- Phase 2:
  - Building 6, construction of new hotel
  - Building 3, restaurant and retail space
  - Retail plaza;
- Phase 3:
  - Building 7, new grocery store
  - Building 4, residential units and ground floor retail
- Phase 4:
  - Buildings 8 and 10, residential and ground floor retail
  - Building 11, commercial building
  - Building 9, parking structure
- Phase 5:
  - Buildings 14 and 15, residential units and ground floor retail

## **REVIEW CRITERIA**

The following criteria apply to the proposed request:

ULDR Section 47-12, Central Beach District Requirements

ULDR Section 47-25.2, Adequacy Requirements

ULDR Section 47-25.3, Neighborhood Compatibility Requirements

## **Central Beach District**

Pursuant to ULDR Section 47-12.4, Central Beach District Requirements, the proposed development application must demonstrate compliance with the applicable standards and design criteria for projects in the Central Beach area and the SBMHA Zoning District. The intent of the *SBHMA Zoning District* is to promote high quality destination resort uses that reflect the character and quality of the Fort Lauderdale Beach, the Intracoastal Waterway and the marinas that have been developed to the north and south of Bahia Mar. The District encourages quality development and redevelopment along the Intracoastal Waterway while protecting and enhancing the existing character, design and scale of the area along State Road A1A.

The overall design of the site places proposed buildings along the perimeters of the property, with direct building presence along Seabreeze Boulevard and with waterfront residential buildings located on the peninsula, interspersed with open and programmed spaces and access drives, as well as a new publically-accessible waterfront promenade. The waterfront promenade provides a connection to the beach for residents and the general public to experience both the Intracoastal Waterway and the beach, which are not directly connected today. The ground floor levels of the buildings fronting Seabreeze Boulevard provide an opportunity for active spaces with wide

sidewalks, generous landscaping, and public plaza space.

The modern architectural style incorporates high quality design elements that enhance transparency and provides for light, air and views throughout the project site. The proposed mix of uses and amenities which incorporates private residences, hotel, restaurant, retail, grocery store, and marina uses creates a publicly accessible destination, which also accommodates the Fort Lauderdale International Boat Show. The buildings are designed with ample fenestration giving a transparent building appearance, ample glass coverage, with open terraces and balconies. The building mass has been designed to complement the existing buildings in the vicinity while maintaining building heights permitted under the SBMHA Zoning District. Floor to ceiling glass on most of the site's buildings reduces visual intrusions and further creates an environment compatible with the surrounding properties. High quality design features include, but are not limited to stucco, glass, large window space, green walls, metal louvers and awnings, glass railings, and recessed entry designs.

Pursuant to ULDR Section 47-12.5.F, "District Requirements and Limitations," setbacks for the project are required to be a minimum of 20 feet along Seabreeze Boulevard. As proposed, the setback along Seabreeze Boulevard ranges from a minimum of 21 feet, 6 inches to 32 feet, 9 inches. Side and rear yards must be a minimum of 10 feet and 20 feet, respectively or half the building height. There are three buildings where the height requires greater setback; Building 1 side setback is 60 feet, 6 inches; Buildings 14 and 15 rear setbacks are 45 feet for the portion of the building at a height of 90 feet and 60 feet for the portion of the building at a height of 120 feet. The intent for varying rear setbacks is to allow for a building step back along the Intracoastal and marina park space for greater light and air movement to break up any perceived monotony of design. The side setbacks are measured from the property limits, which are located in the water and to the closest point on the upland area; and measured to the seawall on the west for the rear setback. The Project Narratives and Site Plan are attached as Exhibit 1 (Exhibits 1a through 1f).

### **Central Beach Development**

Pursuant to ULDR Section 47-12.6.B, the following design criteria shall apply for developments in the Central Beach area:

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.

*The project proposes uses that are consistent with those uses listed as permissible in ULDR Section 47-12.5, District Requirements and Limitations. More specifically, ULDR Section 47-12.5.F.5 permits hotels, multi-family residential, marinas, museums, swimming pools, parking garages, restaurants, amphitheaters, and accessory uses supportive of the principal use. The project proposes a mixed-use development program with hotel use, multi-family residential, restaurant space, supportive commercial retail use, marina with*

*marina offices, and parking. The uses are consistent with the ULDR under the provisions for Site Plan Level IV approval and are generally consistent with the surrounding area.*

*In addition, the density is lower than permitted under the SBHMA Zoning District and the nonresidential floor area ratio is significantly lower. Currently, the SBHMA Zoning District density allows for 48 dwelling units per acre and a floor area ratio of 5. As proposed, the project contains a gross density of 16 dwelling units/acre including the submerged land, and 40 dwelling units per acre when only considering the upland area. The project floor area ratio is 1.7 versus 5 as permitted by the ULDR. As a result, the proposed project minimizes impacts to the surrounding area and vicinity with a proposed build out that is less intensive than is permitted.*

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.

*Project proposes architecture that is a high quality design and enhances the overall built environment of the site as well as the surrounding area. Building height, articulation, and fenestration are integrated in a manner that reflects the resort and residential environment of the surrounding community. Architectural finishes provide an aesthetic that represents quality, elegance, and modernism.*

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.

*The project does not propose alternatives to the design guidelines.*

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;

*By providing a building height consistent with permitted height established in the ULDR for the SBHMA Zoning District, the project minimizes impacts from a building height perspective. In addition, having parking below ground reduces the visual impact of parking structures from adjacent public rights-of-way and properties. The project's architecture is of a style that maximizes transparency*

*and water views thereby creating a less massive appearance.*

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.

*Consistent with the City's Beach Revitalization Plan, the proposed project contains a range of uses that promote the use of a waterfront destination. The improvements enhance the site with new public access to the property, create opportunities for waterfront views of the Intracoastal Waterway, provide active ground floor uses, and contains an overall design that supports the objectives and goals of the Beach Revitalization Plan.*

### **Parking, Circulation, Parking, and Traffic Study**

Vehicular ingress and egress occurs along Seabreeze Boulevard at multiple points with one point exclusively providing loading for Building 1 due to the narrowness of the property at that location. Access to the parking garage, both underground and structured parking, is internal and not directly from Seabreeze Boulevard.

Parking for the project is provided either below ground or in structured parking garages. The majority of on-site parking, approximately 79%, has been positioned in two levels below ground. Above ground parking has been provided in parking structures and through on-street parking. No parking structures front Seabreeze Boulevard and are only located internally within the project, which lessens exposure. Pursuant to ULDR Section 47-20, Parking and Loading Requirements, the project is required to have a total of 2,284 parking spaces and is providing 2,442 spaces, a surplus of 158 parking spaces. The table below provides a breakdown of the required and provided parking for the project.

**Table 1 – Parking Data**

Use	Parking Ratio	Spaces
<b>Residential</b>		
-1 Bedroom	1.75 space/unit	357
-2 Bedroom	2 spaces/unit	362
-3 Bedroom	2.2 spaces/unit	586
<b>Hotel</b>		
-256 Rooms	.67 spaces/room	172
<b>Restaurant</b>		
-22,213 square feet	1 space/114 square feet	196
-4,000 square feet	1 space/140 square feet	29
<b>Commercial</b>		
-118,815 square feet	1 space/ 500 square feet	238
<b>Subtotal</b>		1,940

<b>Existing Marina</b>	344
<b>Additional Parking</b>	158
<b>TOTAL PROVIDED</b>	<b>2,442</b>

A Traffic Study, prepared by Traf Tech Engineering, Inc., was submitted and identified that the project will generate net new trips in the amount of 536 AM peak trips and 468 PM peak trips. A credit was provided for the existing uses on the site and a multi-modal factor was applied to the trip generation analysis (note: there is an approved site plan for the Bahia Walk project to which 208 PM peak trips will be credited toward this Bahia Mar project, should it be approved). The applicant is proposing a variety of multi-modal improvements including two water taxis stops, three Sun Trolley stops, short term and long term bike parking, space for bike sharing, shuttle and car service to and from the airport and port, and electric vehicle charging stations. A Traffic Study Executive Summary is attached as Exhibit 2.

#### **Adequacy and Neighborhood Compatibility**

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. Water and wastewater is serviced by the City of Fort Lauderdale. A capacity letter has been issued by the City's Public Works Department which identified the plant facilities, pump station and associated infrastructure servicing of this project as well as the project's impact on capacity. The letter indicates that the applicant shall be responsible for the reconstruction of pump station D-32 to serve the capacity for the project. The capacity letter is attached as Exhibit 3.

The Neighborhood Compatibility criteria of ULDR Sec 47-25.3 includes performance standards requiring all developments to 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, buffer yards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts".

The site is located adjacent to Seabreeze Boulevard and proposes a redevelopment of the site in a manner that enhances the underutilized land area of the site as a mixed use environment with extensive public access to pedestrian amenities and direct connection to the public realm. The project will create presence along Seabreeze Boulevard and provide better functionality for a majority of the site. The site is designed to reduce impacts on the surrounding neighborhood by maximizing pedestrian accessibility and multiple vehicular access points. In addition, the architectural design reduces light glare with light shields and the project will contain protective measures for light glare on adjacent properties and the beach consistent with the regulations for sea turtle lighting standards.

Service areas for trash and delivery are located within the building footprints and are screened from public view. The frontage along Seabreeze Boulevard is emphasized with strong pedestrian-oriented design elements including a 12-foot sidewalk with a combination of shade trees and palms along the sidewalk to enhance pedestrian comfort and provide shade. Building mass and scale varies throughout the project with building heights that vary from 18-feet to 120-feet and generally complement the varying building heights within the surroundings and the Central Beach. The taller buildings at 120-feet contain well-articulated building facades that incorporate significant glass coverage and balconies and include roof lines with vertical articulation to provide visual interest and break up overall mass and scale.

In addition, the project proposes expansive building overhangs at three locations facing the marina. Three of the residential buildings have a dramatic cantilevering feature over the circulating driveway and waterfront promenade. This unique design provides a clearance of 44 feet and creates a spatial element that is viewed from the marina, Seabreeze Boulevard, and adjacent properties. Furthermore, the residential buildings, which anchor the large open space located on the west side of the property, contain building step backs that reduce the structure mass and provide light and air into the open space/marina park area below. The rooftops of the hotel, residential buildings, and central parking garage have pool deck amenities that screen the top of the buildings while reducing heat gain. The applicant has worked hard to provide an overall project design that is visually appealing and incorporates design aspects and building techniques that mitigate impacts to the Central Beach community.

### **COMPREHENSIVE PLAN CONSISTENCY**

The proposed use is consistent with the Central Beach Regional Activity Center (Beach RAC) land use designation. Staff has determined that the proposed development is generally consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including:

Future Land Use Element, Goal 1,

- Objective 1.9, Central Beach Regional Activity Center (Beach-RAC) Redevelopment Efforts, continue to ensure that development of the Central Beach Regional Activity Center (Beach-RAC), which was identified as a blighted area, will be consistent with the Community Redevelopment Area Plan, established for the designated beach redevelopment area;
- Objective 1.11, Policy 1.11.2, Enhance landscaping, street and pedestrian amenities through the development review process within the Beach-RAC;
- Objective 1.11, Policy 1.11.3, Enhance views of the oceanfront and Intracoastal Waterway within the Beach-RAC;
- Objective 1.11, Policy 1.12.1, Central Beach-RAC zoning districts shall require land uses consistent with the adopted Central Beach Revitalization Plan; and,
- Objective 1.21, Encouraging Mixed Use Development, Encourage 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.

The City's Future Land Use Map indicates that the proposed project is located within the boundaries of the Beach RAC. Per an Interlocal Agreement between the City and Broward County, the City is required to monitor and track development entitlements in regional activity centers. The Beach RAC development limitations are based on residential units and vehicular trips. The project proposes 651 residential units and will add a net of 260 new trips, after a credit of 208 trips from the previously approved Bahia Walk project is applied. If approved, there will be 798 residential units and 471 trips remaining for development allocation.

### **PUBLIC PARTICIPATION**

This application is subject to the public participation requirements established in ULDR Section 47-27.4. According to the applicant, a public participation meeting was held on August 29, 2017, to offer the neighborhood surrounding the property the opportunity to learn about the proposed project. The meeting notification was sent to the Central Beach Alliance, Idlewyld Improvement Association, and Harbor Beach Homeowners Association. The public participation meeting summary and affidavit are provided as Exhibit 4.

In addition, this request is subject to sign notification requirements established in ULDR Section 47-27.4. The applicant has installed a total of 5 signs on the property and has submitted a sign affidavit indicating proper sign notification was provided.

The Planning and Zoning Board (PZB) heard the request on October 18, 2017 and approved the item by a 6-3 vote with conditions as listed below. The staff report and the October 18, 2017 PZB minutes are attached as Exhibits 5 and 6, respectively.

Planning and Zoning Board conditions:

1. The applicant shall be required to install emergency generators which shall be elevated and will provide backup power to the automated flood controls for the subterranean garage and install emergency power for the lift station and the garage pumps;
2. The applicant shall be required to construct roadway improvements identified on pages 6 and 7 of the executive summary of the traffic impact study which states the following:
  - a. At SR A1A and the signalized Bahia Mar Driveway - add a northbound left-turn phase and optimize signal timing. The protected left-turn phase (which can be followed by a permissive left turn phase) will allow for an eastbound right turn overlap;
  - b. At SR A1A and the signalized Bahia Mar Driveway - at the City's discretion, add an additional eastbound left turn lane (for dual left turn



lanes eastbound) to minimize green time required for the eastbound approach and allowing more green time to be redirected to north-south SR A1A approaches;

- c. At SR A1A and the signalized Bahia Mar Driveway - extend the northbound left turn lane storage as much as feasible. Northbound left turning vehicles that cannot be accommodated within the left turn lane will spill onto the westernmost through lane. Due to the good operating conditions of the northbound through lanes, the spillover is not expected to degrade operating conditions of the northbound approach; and
  - d. At SR A1A southbound and Las Olas Boulevard – optimize signal timing.
3. The applicant shall commit to pursuing all multi-modal improvements identified on page 7 of the executive summary of the traffic impact study which states the following:
- a. Two (2) water taxi stops onsite;
  - b. Three (3) Sun Trolley stops onsite;
  - c. Available boat slips for daily patrons;
  - d. A continuous pedestrian waterfront promenade;
  - e. Onsite short-term and long-term bicycle parking;
  - f. Available space for a bicycle sharing program;
  - g. Shuttle service to and from Port Everglades and Fort Lauderdale Hollywood International Airport;
  - h. Car service for guests to and from local destinations, and
  - i. Electric vehicle recharging stations.

Staff conditions:

- 4. Prior to final DRC submittal, applicant shall provide an updated letter from the Federal Aviation Administration, addressing proposed building height;
- 5. Prior to Final DRC, applicant is required to contract with an archeologist to provide a preliminary report consisting of a shovel test survey that includes samples from the project site to determine whether the development site holds archeological significance. The archeologist must state within the report if further testing on the site is required and/or if monitoring by the archeologist is required during ground disturbing activity once construction commences. If monitoring is determined to be required, the applicant must also provide a letter of agreement with the archeologist stating that they will be present during phases of the project that include ground disturbing activity;
- 6. The applicant shall be responsible for the reconstruction of pump station D-32 and coordination with Public Works for this project. The reconstruction of the pump station shall be designed and constructed to have enough capacity to service the projected wastewater flow generated by the project. The water distribution system is comprised of 10-inch water mains and laterals, and shall be

designed and constructed to have enough capacity to provide water service for the proposed project demand;

7. Prior to Final DRC applicant shall provide a management plan or public access easements if determined that easements are required to be recorded, for the publicly accessible areas including the Waterfront Promenade, Marina Park, Retail Plaza, Gateway Park, and Seabreeze Promenade as shown on Sheet L-105, Master Site Plan and Sheets L-201 through Sheets L-209, Site Plan; detail sheets. The management plan and/or access easements shall address access, hours of operation, private events, safety and any other components necessary to define control access to same areas;
8. Prior to building permit submittal, the applicant shall obtain City Commission consent and approval for public access easements, roadway easements, and water/wastewater easement dedications necessary to construct the development as depicted on the attached site plan drawings; and
9. Prior to the issuance for Certificate of Occupancy for the first building in Phase 1, the Waterfront Promenade, Marina Park, Gateway Park, and Seabreeze Promenade as shown on Sheet L-105, Master Site Plan and Sheets L-201 through Sheets L-209, Site Plan; detail sheets, shall be completed.

### **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 6: Be an inclusive community made up of distinct, complementary, and diverse neighborhoods.

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

### **Attachments**

Exhibit 1a - Project Narratives and Site Plan  
Exhibit 1b - Project Narratives and Site Plan  
Exhibit 1c - Project Narratives and Site Plan  
Exhibit 1d - Project Narratives and Site Plan  
Exhibit 1e - Project Narratives and Site Plan  
Exhibit 1f - Project Narratives and Site Plan  
Exhibit 1g - Project Narratives and Site Plan  
Exhibit 2 – Traffic Executive Summary  
Exhibit 3 – Water Sewer Capacity Letter  
Exhibit 4 – Public Participation Summary  
Exhibit 5 – PZB Staff Report

Exhibit 6 – PZB Meeting Minutes  
Exhibit 7 – Resolution Approving Site Plan  
Exhibit 8 – Resolution Denying Site Plan

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