CITY OF FORT LAUDERDALE
City Commission Agenda Memo **#18-0649**
REGULAR MEETING

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

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

DATE: June 19, 2018

TITLE: Public Hearing to Consider a Development Agreement Between the City of Fort Lauderdale, Tavistock Development Company, Pier 66 Parking LLC, Pier 66 Ventures, LLC, and Sails Ventures, LLC (Collectively Known as TS Entities) Pursuant to Chapter 163.3220-163.3243, Florida Statutes

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Recommendation

It is recommended the City Commission hold a public hearing to consider a Development Agreement between the City of Fort Lauderdale, Tavistock Development Company, Pier 66 Ventures, LLC, Pier 66 Parking LLC and Sails Ventures, LLC (collectively known as TS Entities) pursuant to Chapter 163.3220-163.3243, Florida Statutes and delegating certain authority to the City Manager.

Background

At the June 5th City Commission regular agenda meeting, the applicant requested a deferral to the June 19th City Commission regular agenda meeting to allow time for additional outreach to the public. The request was granted 4-0 by the City Commission (Commissioner Glassman was not present at the meeting). The Development Agreement has been revised since June 5th and the changes are reflected in the redlined version in Exhibit 10.

The Florida Local Government Development Agreement Act, Sections 163.3220-163.3243, Florida Statutes, authorizes local governments to enter into development agreements with developers to encourage a stronger long term commitment to comprehensive and capital facilities planning, to ensure the provision of adequate public facilities for development, to encourage the efficient use of resources, to reduce the economic cost of development and to provide certainty to developers and municipalities in the approval of development and assurances that they may proceed in accordance with the existing laws and policies, subject to the conditions of such development agreements. This statute requires the item to be heard by the City Commission at two public hearings prior to entering into the agreement.

In 1957 the City approved a development permit that included, but is not limited to, a fuel dock and marina, a restaurant and, in 1959, a two story hotel. Subsequently, in 1964 the City approved the 221-foot tall Pier 66 Tower (consisting of 17 floors and 250 rooms), a revolving roof top bar, and a restaurant on the end of the pier dock (Pelican Bar) establishing

the Pier 66 Hotel and Marina.

On October 17, 2007 a development permit was approved (and subsequently amended) to allow construction of two 11 story condominium towers consisting of 58 residential units, a 29,000 square foot office/retail building, a parking garage and a second “valet” garage for the Pier 66 site (Pier 66 North).

On July 8, 2008 a development permit for the Sails project (Pier 66 South) was approved granting a 350-room hotel, 15,500 square feet of retail, 14,400 square feet of office, three (3) restaurants at 3,900 square feet each, two lounges/bars at 1,000 square feet each, 16,100 square feet of meeting space, 150 dry storage boat slips, 2,000 linear feet of dockage/marina, a 12,200 square foot fitness/spa facility, and 755 parking spaces.

Since the development approvals there have been valid extensions granted by the City and the State of Florida for both the Pier 66 North and Pier 66 South sites with the Pier 66 North site extended to 2024 and the Pier 66 South site currently extended to 2021.

TS Entities has approached the City of Fort Lauderdale with a request to enter into a Development Agreement (the agreement) creating a Community Development District (CDD) for the Pier 66 North and South sites. To view a location map please see Exhibit 1.

The agreement as currently drafted includes, but is not limited, to the following:

- The Pier 66 North and Pier 66 South development sites shall be treated as one development (densities, intensities, landscaping, and parking may be located on any portion of the combined development parcel);
- Development on the Pier 66 North site is vested for the existing improvements;
- The Pier 66 North and Pier 66 South development sites are vested for trips and capacities based on prior approvals (currently valid and extended to 2024 and 2021 respectively);
- Future development shall be permitted subject to the requirements and limitations of the City’s Unified Land Development Regulations (ULDR) and the existing Boulevard Business (B-1) Zoning District in effect at the time the agreement is entered into;
- All future development approvals shall be subject to the approval processes of the ULDR in effect at the time the agreement is entered into;
- 750 Residential Units (the developer shall pay $2,500 per unit to reserve the units);
- 384 Hotel Units;
- Minimum of 150,000 square feet of commercial/office/retail;
- Minimum of 4,000 square feet of ancillary marina space with 145 slips;
- Minimum of 150 dry storage boat slips;
- Up to 120-feet in height (except for Pier 66 Tower, which is vested at 221-feet in height);
- Prior to Certificate of Occupancy or within 5 years (whichever occurs first) the developer shall submit an application to the City for local historic designation of the Pier 66 Tower;

- Should the Pier 66 Tower ever be damaged or destroyed by an enemy of the state or act of God the developer shall have the right to reconstruct the tower up to the current height of 221-feet;
- A marina promenade shall be constructed across portions of the Pier 66 North and South parcels connecting under 17th Street Causeway and shall remain open to the public from Dusk till Dawn 7 days a week (subject to limitations)
- The City shall cooperate with the Developer, at its expense, to create a Community Development District pursuant to Chapter 190, Florida Statutes
- The agreement shall be in effect for 20 years.

It should be noted that the dollar amount associated with the reservation of residential units may be used by the developer in the future towards future impact fees, building permitting fees or other fees associated with the development of the Pier 66 parcels.

To review the entire development agreement along with attachments please refer to Exhibit 8.

Resource Impact
There is no fiscal impact to the City associated with this action.

Strategic Connections
This item is a Press Play Fort Lauderdale Strategic Plan 2018 initiative, included within the Public Places Cylinder of Excellence, specifically advancing:

- Goal 3: Be a community that finds opportunities and leverages partnerships to create unique, inviting, and connected gathering places that highlight our beaches, waterways, urban areas, and parks.
- Objective 1: Improve access to and enjoyment of our beach, River-walk, waterways, parks, and open spaces for everyone.

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

Attachments
Exhibit 1 – Location Map
Exhibit 2 – Certification Letter from Cutro and Associates
Exhibit 3 – Pier 66 Map
Exhibit 4 – Revised Notice of Intent
Exhibit 5 – Pier 66 Tax Roll
Exhibit 6 – Proof of Advertisement
Exhibit 7 – 2017 Notice Requirements for Development Agreement
Exhibit 8 – Development Agreement
Exhibit 9 – Resolution
Exhibit 10- Redlined Development Agreement

Prepared by: Anthony Gregory Fajardo, Sustainable Development

Department Director: Anthony Gregory Fajardo, Sustainable Development