



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

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

**DATE:** August 21, 2018

**TITLE:** Quasi-Judicial - De Novo Hearing - Site Plan Level II Development Permit-  
Alexan-Tarpon River - Case No. R17055

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### **Recommendation**

It is recommended that the City Commission adopt a resolution approving the issuance of a Site Plan Level II Development Permit for “Alexan-Tarpon River” (Case R17055), a 216-foot and 8-inch tall, multi-family residential project proposed at 501 SE 6<sup>th</sup> Avenue in the Regional Activity Center-City Center (RAC-CC) zoning district.

### **Background**

A digital set of the original development plans (Part A and Part B) are provided as Exhibit 1A and Exhibit 1B, respectively. The digital set of modified development plans is provided as Exhibit 1C. The March 6, 2018 City Commission Request for Review Memorandum including staff analysis is provided as Exhibit 2.

#### **Analysis of modified development plans:**

Pursuant to Sections 47-13.20.N.2 and 47-26A.2 of the City of Fort Lauderdale Unified Land Development Regulations (ULDR), the Commission voted 4-1 at the April 3, 2018 City Commission meeting to set a De Novo hearing to review the application for a Site Plan Level II Development Permit on May 15, 2018. At its May 15, 2018 meeting the City Commission Meeting heard a presentation from the Applicant that included a proposed modification to the site plan at the conclusion of which the City Commission voted to continue the de novo hearing to June 19, 2018. At its June 19, 2018 meeting the City Commission, heard public comments and concluded the public hearing. Members of the City Commission expressed concerns about the height, density and architectural features of the development. The Applicant offered to modify the site plan to address these concerns and the City Commission voted to continue its deliberation of the item to August 21, 2018.

Staff analyzed the modified plan prior to being presented at the June 19, 2018 City Commission meeting based on design guidelines of the Downtown Master Plan (DMP) and the New River Master Plan (NRMP). While the modified proposal generally met the intent of the Downtown Master Plan guidelines, the original development plan better addresses the public realm relationship to the Riverwalk, Smoker Park and the Stranahan

House, through the design of a unique open ground floor and architectural design which results in a lower profile of the north wing.

More specifically, with respect to DMP Guideline B15 “Maximize Active Uses and Pedestrian-Oriented Ground Floor Design” the open ground floor of the north wing in the original submittal addresses this intent by proposing multi-functional space at the Riverwalk entrance plaza, which is unenclosed and flows seamlessly into the public realm surrounding the property.

This creative approach allows the building to provide a defined edge for Smoker Park, providing an active use with natural surveillance and casual supervision “eyes on the space” and also allowing for eye-level views of the breadth of the park from the Rio Vista neighborhood, as well as from the proposed Riverwalk entrance plaza.

In addition, with respect to DMP Guideline Q6 “Response to Natural Environment” the open ground floor of the north wing in the original submittal provides an exceptional response to the South Florida sub-tropical climate. Without this unique feature, the modified, where the ground floor of the north wing is occupied by residential units, cannot similarly address the natural environment.

With respect to DMP Guideline 1C “Encourage Slender Towers to Complement the Skyline and Provide More Light and Air to Streets and Open Spaces Below; Streetwall Height”, both proposals meet the intent of not exceeding the maximum building floorplate size and the nine-level maximum building streetwall height. However, the lower profile of the north wing in the original proposal far less impacts the New River corridor, as well as Smoker Park and the adjacent Rio Vista neighborhood, than the taller north wing in the modified development plan which provides less light and air to the public open space below.

While both proposals meet the floor plate area maximums, the redistribution of program from the south wing to the north wing in the modified development plan creates a more massive building that does not complement the skyline, results in a more massive visual impact on the New River corridor and does not allow more light and air to reach the ground, impacting the public realm experience at the Riverwalk as well as the experience in Smoker Park.

In addition, the open and multi-functional ground floor design of the original development plan addresses this intent more effectively than the proposed residential units in the modified development plan. Regarding the provision of NRMP Guideline B7 “Encourage Active Uses Facing All Public Parks and Public Spaces,” the open and multi-functional ground floor in the north wing of the original development plan better addresses this intent than the residential units proposed in the modified development plan.

Staff analysis concluded that the original development plans better address the Downtown Master Plan and the New River Master Plan guidelines than the modified development plans.

Analysis of original development plans:

The proposed Alexan-Tarpon River development consists of 181 residential units. There are 30 existing units on site. The subject property is located within the Downtown RAC, where currently 1,088 residential units are available. Should the allocation of the 151 residential units in the proposed development be approved, 937 units will remain.

Project Data	Required per ULDR	Preferred per DMP/DTMP	Proposed
<b>Height</b>	No maximum (499 feet per FAA)	No maximum (499 feet per FAA)	21 stories 216 feet – 8 inches
<b>Parking Spaces</b>	Parking not required	N/A	239 spaces
<b>Floorplate</b>	N/A	12,500 square feet max.	11,158 Square Feet max. (Floors 11-17)
<b>Number of units</b>	No maximum	No maximum	181 units
<b>Setback from river.</b>	45 feet min.	60 feet min.	135 feet
<b>Distance from building foot print to nearest residentially-zoned property.</b>	N/A	N/A	121 feet

Surrounding Building Heights

Building	Number of stories
Las Olas by the River	9 stories
Riverside Hotel tower	13 stories
Vu New River	18 stories
<b>Alexan – Tarpon River</b>	<b>21 stories</b>
Nu River Landing	25 stories
The Water Garden	31 stories
Las Olas Grand	39 stories
Icon Las Olas	45 stories

**Prior Reviews**

The DRC reviewed the project on September 26, 2017. All comments have been addressed and are on file with the Department of Sustainable Development. The project received preliminary approval on March 6, 2018. It was presented to the Historic Preservation Board (HPB) on November 6, 2017 for review and comment. The Board voiced the desire that the open ground level of the north wing flow seamlessly into Smoker Park and that care be taken to insure that shade cast by the proposed building not impact the park's trees. The applicant has addressed these aspects with the City's Chief Landscape Plans Examiner and Urban Forester.

As noted in the HPB Memo, which is provided for your review as Exhibit 4, the site is directly abutting Smoker Park, a historic site situated along the New River which was designated in 1993 and named for Stanford K. Smoker, a prominent developer in Fort Lauderdale recognized as a community member who was dedicated to preserving the city's history. The Stranahan House, a home of early city pioneers, which is situated across the River from the development site is also designated as a local historic landmark

and has been listed on the National Register of Historic Places since 1973. Smoker Park was also associated with numerous pioneers including one of Fort Lauderdale's first builders, a newspaper publisher and a State Representative.

The HPB Memo recognizes the project as composed of two rectangular masses. The north wing is oriented north-south with a length of approximately 200 feet. The south wing is oriented east-west and is 166 feet-7 inches in length. The Memo also recognizes that the north wing is four levels, raised 20 feet over unenclosed space, creating an open space that extends outward toward Smoker Park and that an additional 75 feet, over and above the preferred setback of 60 feet, separates the structure from the New River.

Due to the setback from the river and low profile of the north wing, the Memo concludes that the Stranahan House will not be adversely impacted by the project as proposed. The report also outlined positive aspects of the project which include the 20 foot raising of the north wing, which allows for a covered open space that flows seamlessly into the park. Along the south wing, park-facing elevation, floor-to-ceiling windows open onto the park space, allowing interaction between the structure and the park. Additionally, the applicant is proposing the placement of an interpretive marker paying homage to the importance of the New River and the surrounding area to the city's history. To ensure that an archaeological survey is undertaken, Historic Preservation staff included recommendations for conditions of approval as detailed in the HPB Memo, also included herein. The Historic Preservation Board Meeting Minutes and Staff Report are attached as Exhibit 3 and Exhibit 4, respectively.

#### **Adequacy Requirements:**

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 was issued by the City's Public Works Department which identifies the plant facilities, pump station and associated infrastructure servicing this project and the project's impact on capacity. The capacity availability letter is attached as Exhibit 5.

#### **Parking and Circulation:**

Vehicular ingress, egress and loading into the site are provided from SE 6<sup>th</sup> Avenue. The applicant is proposing to provide 239 parking spaces to serve the project. New sidewalks with canopy trees will be constructed along SE 6<sup>th</sup> Avenue to enhance the pedestrian experience and provide shade. A broad Riverwalk entrance plaza is also proposed for pedestrians at the east terminus of the south side of Riverwalk, between the proposed building and the river's edge.

An Existing Volumes and Project Trip Assignment letter, dated November 20, 2107, and prepared by the applicant's traffic consultant, Kimley-Horn and Associates Inc., states that the development is projected to generate 686 daily trips (35 AM peak hour trips and 48 PM peak hour trips). As less than 1,000 daily trips, and less than 20 percent during peak hours, are projected, a traffic impact study is not required by the ULDR. The Existing Volumes and Project Trip Assignment Letter is attached as Exhibit 6.

Outreach to the Rio Vista Neighborhood Association to present the project and discuss potential traffic impacts to the neighborhood, as well as appropriate mitigation measures, occurred on November 6 and November 20, 2017 and February 16, 2018.

The Traffic Analysis Executive Summary, dated March 18, 2018, states that independent of City traffic review, and in order to be a good neighbor, in November 2017, a further analysis was completed to address concerns of the Rio Vista neighborhood. Also independent of City review, in February 2018, the project team met with the residents of Rio Vista to discuss traffic calming measures and potential improvements. The analysis phase of the traffic calming study is currently underway. Kimley-Horn met with the City and neighborhood representatives and gathered input for the finalized traffic calming plan. The Traffic Analysis Executive Summary is provided as Exhibit 7. A Draft Traffic Calming Improvement Plan prepared by Kimley-Horn, detailing existing and anticipated flows as well as proposed traffic calming devices, is provided as Exhibit 8.

### **Master Plan Consistency**

The project has demonstrated consistency with the City of Fort Lauderdale's Downtown Master Plan's (DMP) and New River Master Plan's (NRMP) guidelines and principles of building and street design:

- As shown in detail 1, Massing Diagram, on Sheet A-6, in order to create an appropriately spacious and welcoming gateway to Riverwalk, the proposed building is set back 135 feet from the river's edge, where the New River Master Plan's (NRMP) recommended setback from the River in this area is 60 feet;
- As shown in detail 4, Proposed Visual Massing (Open View Corridor), on Sheet A-6As and as shown on Sheet L-2, Illustrative Ground Level Plan, the greater distance proposed from the river allows for the creation of an exceptional public space at the southeast entrance to Riverwalk that includes generously-wide paved areas inviting in pedestrians, as well as tree-canopied lawn areas, effectively expanding Smoker Park, where a private, asphalt parking lot currently exists (existing condition shown on Sheet A-3, Existing Site Plan);
- As shown on Sheet L-2, Illustrative Ground Level Plan, approximately 3,800 square feet of the applicant's private parcel of land is proposed be dedicated as public open space, without the interruption of delineation between the private space of the project and the public space of Riverwalk. With the addition of the applicant's land, collectively this contributes to a substantial increase in the amount of public space at a key location;
- As shown on Sheet D-4, Ground-Floor Plan; Sheet E-5, Enlarged Elevations; Sheet E-13, Pedestrian View from East Av.; and Sheet E-14, Pedestrian View from North-East, the Riverwalk entrance plaza space flows seamlessly into the ground level of the north wing of the proposed building, which is unenclosed and open to the elements. This creative approach allows the building to provide a proper edge for Smoker Park, providing an active use with natural surveillance and casual

supervision with “eyes on the space.” Also as shown on Sheet E-5, Enlarged Elevations; and Sheet E-17, Pedestrian View from N. Rio Vista Blvd., the 20 foot vertical clearance between ground level and the first level of the north wing allows for eye-level views of the breadth of the park from the Rio Vista neighborhood as well as from the proposed Riverwalk entrance plaza;

- The accommodation for an exceptional public space at the river’s edge and the height of the north wing, six stories where nine is the preferred maximum, is especially significant in the context of Stranahan Landing, the place name of the point on the south side of the river opposite the Stranahan House, the oldest surviving structure in Broward County. Stranahan Landing was previously known as Tunnel Top Park. On January 5, 2012, the City Commission passed a resolution renaming Tunnel Top Park as “Stranahan Landing”. Stranahan Landing was originally the name of the points on both the north and south side of the river where travelers waited for Frank Stranahan’s ferry to cross the strong current of the New River, in the days before the railroad arrived in 1896. The Stranahan House’s location by the ferry crossing made it a logical place for a successful trading post and, in 1911, it became the birthplace of Fort Lauderdale. Because of its historical and architectural significance, Stranahan House is, as detailed herein, listed on the National Register of Historic Places and its context is integral to its historical significance;
- The improvement of Stranahan Landing and the adjacent Riverwalk portal, proposed through Alexan-Tarpon River, substantially increases public open space at a pedestrian node that should be a celebration of the special relationship of the house to the ferry landing and to the Riverwalk experience. As referenced on Site Pan Key, Sheet A-4, Location Images; and Sheet D-2, Site Plan, the enhanced Stranahan Landing would complete the arrangement of public open spaces surrounding Stranahan House and would be both the intended and premier location from which to experience the house in its context. In addition to proposing a memorable public open space honoring the city’s history, the applicant has indicated a willingness to provide a marker interpreting the historical significance of the ferry crossing to the city;
- As shown on Sheet E-2 East Elevation, and Sheet E-3, West Elevation, the ground level of the north wing of the proposed building is open to the elements and covered by the four level north wing, supported on columns reaching 20 feet above the ground. The open ground floor would serve as a large, covered plaza, allowing maximum visual and pedestrian connectivity between Smoker Park and the Rio Vista neighborhood. This creative balancing of edge, barrier and open space allows for an exceptionally comfortable and safe public realm for residents and visitors to Smoker Park and the Riverwalk. As detailed on Sheet L-3, Uses Diagram, the unenclosed ground floor space is proposed with maximum flexibility, suitable for a wide variety of programming;
- As illustrated on Sheet E-16, Pedestrian View from the River, by providing active, high-ceiling, habitable space enclosed by floor-to-ceiling glass at the ground level

of the south wing, and through the soft edge of the unenclosed ground level of the north wing, the proposed building will provide a proper urban edge to Smoker Park;

- In response to its siting between two of the city's character-defining urban, public open spaces, Smoker Park and the south end of the Henry Kinney Tunnel, the building is designed to face both the US 1 corridor and the park, in stark contrast to the existing building on site which was built before the park was created and which turns its back to it;
- As suggested by the proposed Transition Area in the Downtown Master Plan, the 21-story height of the south wing was arrived at through careful balancing of the City Center zoning district's permissible height with the project's location across the Kinney Tunnel entrance from the Rio Vista neighborhood, as well as the project's historically-significant context described herein;
- The proposed four-level north wing, elevated 20 feet above ground level, and lower in height than the preferred maximum as suggested in the proposed Transition Area, is set back significantly further from the river's edge than it could be situated as detailed herein, allowing for a notable public realm experience that benefits residents and visitors;
- The south wing floor plates are within the maximum preferred size of 12,500 square feet, creating a pleasingly slender tower and allowing for sufficient light and air to reach the ground;
- The mass of the proposed building effectively broken down through its composition as an ensemble of discrete volumes clearly differing in size, orientation and cladding materials;
- The façade composition, consisting of a grid of vertical rectangles, is articulated by the projecting vertical and horizontal members of the grid, while projecting and recessed balconies enrich the arrangements. Further, the upper north wing is clad entirely in glass providing a touch of skyline drama, and representing a high level of architecture;
- The parking garage, while not lined with habitable space, is the same volume as the south wing above and is effectively screened and camouflaged in order to convincingly appear as habitable space;
- While private views are not always guaranteed in urban environments, in order to maximize sustainability and provide a pleasing view from taller, neighboring high-rises, the roof of the north wing contains a landscaped pool and amenity area, while the roof of the upper north wing features a terrace opening from the 15<sup>th</sup> level of the south wing.

### **Conditions of Approval:**

Should the City Commission approve the development, the following conditions are proposed:

1. 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;
2. Prior to final DRC review, 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. The applicant is required to contract with an archeologist to provide a Phase I (reconnaissance level) archeological survey that will include a shovel test and soil boring that includes samples from throughout the project site. 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. All preliminary reports from the archeologist must be submitted prior to application for Building Permit, to both the Case Planner and Historic Preservation Planner. If monitoring is required, the applicant must also provide a letter of agreement, prior to application for Building Permit, with the archeologist stating that they will be present during phases of the project that include ground disturbing activity.
4. Demolition of the existing site and construction for the new project will not affect the historically-designated Smoker Park, except for 1 tree to be relocated and 3 existing trees to be removed. The north perimeter of the development site will have a 6' minimum solid wood fence serving as significant protection of the park from construction. Tree protection barricades for relocated tree and trees remaining on site will be wood split rail fencing. Tree relocation and tree protection will be monitored by project ISA certified Arborist with monthly monitoring reports submitted to Urban Forester and Landscape Plans Examiner.
5. Prior to Final DRC review, the applicant shall provide an easement to the City for public purposes, ensuring public access to the ground level of the north wing and expanded Riverwalk entrance.
6. The easement shall address maintenance, access, hours of operation, private events, safety and any other components necessary to define access to the area. The applicant shall maintain the easement area.

### **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 1A – Original Development Plans - Part A

Exhibit 1B – Original Development Plans - Part B

Exhibit 1C – Modified Development Plans

Exhibit 2 – March 6, 2018 City Commission Request for Review Memo

Exhibit 3 – HPB Minutes

Exhibit 4 – HPB Staff Report

Exhibit 5 – Water and Wastewater Capacity Availability Letter

Exhibit 6 – Existing Volumes and Traffic Trip Assignment

Exhibit 7 – Traffic Analysis Executive Summary

Exhibit 8 – Draft Traffic Calming Improvement Plan

Exhibit 9 – Resolution Approving Site Plan Level II Development Permit

Exhibit 10 – Resolution Denying Site Plan Level II Development Permit

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