



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

**#18-1006**

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

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

**DATE:** September 25, 2018

**TITLE:** Motion Relating to a City Commission Request for Review – Riverparc Square (A.K.A. Southside Centre) - Case No. R17025

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**Recommendation**

It is recommended that the City Commission review the Development Review Committee's ("DRC") preliminary approval of a development permit application for Riverparc Square (A.K.A. Southside Centre) - Case No. R17025 and consider a motion for City Commission request for review if it finds that DRC has misapplied or failed to apply one or more requirements of the ULDR or the City's Comprehensive Plan in approving the application.

**Background**

The City Clerk has received statements of intent filed by Vice Mayor Ben Sorensen (September 5, 2018) and Commissioner Steven Glassman (September 5, 2018), pursuant to the City of Fort Lauderdale Unified Land Development Regulations (ULDR), Section 47-26A.2, City Commission Request for Review (CRR) to review the Preliminary DRC approval of "Riverparc Square (A.K.A. Southside Centre)," a mixed-use project, consisting of 790-residential units, 297 Hotel Rooms, 44,698 square-feet of retail and 296,459 square-feet of office use, disbursed in three building towers, ranging in height as follows:

- Building 1 – 43 stories / 432 feet-4 inches to the roof (473 feet-4 inches to the parapet);
- Building 2 – 42 Stories/ 451 feet- 8 inches to the roof (409 feet-6 inches to the parapet); and,
- Building 3 – 36 Stories / 419 feet to the roof (456 feet-6 inches to the parapet)

The proposed project is located at 501 South Andrews Avenue in the Regional Activity Center – City Center (RAC-CC) zoning district. An abbreviated set of plans is provided as Exhibit 1. A full set of plans is available upon request. The City Commission Request for Review Memo, including staff analysis is provided as Exhibit 2.

The Development Review Committee (DRC) reviewed the project on May 23, 2017. All

comments have been addressed and are on file with the Department of Sustainable Development (DSD). The project received preliminary approval on September 4, 2018.

The proposed Riverparc Square development consists of 790 residential units. The subject property is located within the Downtown RAC, where currently 596 residential units are available and within the Receiving Area of the Unified Flex Zone where 5,000 residential units are available. Should the allocation of the 790 residential units in the proposed development be approved, 596 residential units may be issued from the Downtown RAC unit pool and 194 from the Unified Flex Pool.

**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 identified the plant facilities, pump station and associated infrastructure servicing this project and the project's impact on capacity. The applicant has agreed to construct a private gravity sewer system and pumping station along with a force main to connect to the City's sewage transmission system. A memorandum of understanding shall be required between the City and the applicant to coordinate design requirements and construction of the improvements. Engineering conditions of approval are included on page 5 of this memo. For more information please see the Water and Wastewater Capacity Availability Letter attached as Exhibit 3.

**Parking and Circulation:**

Access to the site will be provided via a driveway off of SW 5th Street (right in/right out), two driveways off SW 1<sup>st</sup> Avenue (north - full access and south - right in/right out), and an ingress only driveway off of SW 6<sup>th</sup> Street (hotel drop-off).

A Traffic Study, dated February, 2018 and prepared by Traf Tech Engineering, Inc., concluded that based on the proposed land use, the development is projected to generate approximately 10,491 daily trips, approximately 872 AM peak hour trips (543 inbound and 329 outbound), and approximately 942 PM peak hour trips (383 inbound and 559 outbound). After being reviewed by City staff and City traffic engineering consultant, Kimley-Horn and Associates, Inc., the Traffic Study concluded:

- Level of service deficiencies are projected for most of the signalized intersections.

(Note that these intersections are currently operating at deficient level of service)

- All stop-controlled intersections are projected to operate adequately. Furthermore, all access driveways are projected to operate at acceptable level of service with the proposed project in place.

The complete Traffic Study is attached as Exhibit 4.

Below are the conditions of approval by Transportation and Mobility (TAM) that are part

of the Traffic Study Approval Letter, which is attached as Exhibit 5:

1. Prior to issuance of building permit, developer will evaluate and implement, if feasible within the available SW 6<sup>th</sup> Street right-of way, bike lanes or sharrows (shared automobile/bicycle lanes) along the north side of SW 6<sup>th</sup> Street between South Andrews Avenue and SW 4<sup>th</sup> Street immediately adjacent to the project site. Provide pedestrian lighting along the sidewalks.
2. When the first phase of the project is at least 80% occupancy level and the second phase of the project is at least 50% occupancy level, Developer shall request a signal warrant study from Broward County for the intersections of SW 6<sup>th</sup> Street/SW 2<sup>nd</sup> Avenue/Flagler Avenue and at SW 6<sup>th</sup> Street/SW 1<sup>st</sup> Avenue, as documented in the Riverparc Traffic Study. If the signal warrant study concludes that a traffic signal needs to be installed at either of these two locations, the Developer will either, at Developers discretion:
  - a. Coordinate with Broward County to fund the construction of an installation at one of the required intersections in an amount not to exceed \$250,000; or
  - b. Coordinate with the City of Fort Lauderdale to fund alternative intersection improvements, such as restricted turns, implementation of raised islands in the median, pedestrian enhancement treatments, etc. not to exceed \$250,000 at the intersections of SW 6<sup>th</sup> Street/SW 2<sup>nd</sup> Avenue/Flagler Avenue and/or SW 6<sup>th</sup> Street/SW 1<sup>st</sup> Avenue.
3. Restrict the southernmost driveway on SW 1<sup>st</sup> Avenue and the east driveway on SW 5<sup>th</sup> Street to right-turns only.
4. Allow internal cross access between all parking structures.
5. Coordinate with BCTED signal re-timing for the intersections of South Andrews Avenue/SW 6<sup>th</sup> Street and SW 4<sup>th</sup> Avenue and SW 6<sup>th</sup> Street.
6. At the Intersection of SW 6<sup>th</sup> Street & Flagler Avenue the applicant will design and construct an exclusive southbound left-turn lane, southbound shared right-through lane, and a sidewalk on the east side of Flagler Avenue north of SW 6<sup>th</sup> Street.
7. Provide Brasco Interlude bus shelters and landing pads at the bus stop locations along the site.
8. Prior to receiving permits for construction, the applicant must provide a staging and construction plan.

#### **Master Plan Consistency**

The project is consistent with the Downtown Master Plan's (DMP) and New River Master Plan's (NRMP) intents. A few of the highlights are listed below:

- The mixed-used hotel and office building with hotel room floors over office uses over hotel amenity floors above parking levels is designed with an integrated façade yet with each use components having its own expression. The angled hotel balconies suspend over the extension of the fully glazed office facade. The horizontal expression of the office floors on the south and west elevation is stepped back and contrasted by the articulation of the garage façade interrupted by the hotel amenity floors;
- The podium façade is broken down by different screening materials and articulation of building entrances;
- The massing of the development is broken down by a combination of exterior framing, change of materials, organization of balconies, varying roofline, textures and colors;
- Habitable space is proposed to conceal the parking garage to the greatest extent possible; parking garages on Andrews Avenue and SW 5<sup>th</sup> Street are completely concealed with habitable space, parking garages on SW 6<sup>th</sup> Street and SW 1<sup>st</sup> Avenue are partially concealed with habitable space or architectural screening;
- Upper floors of the parking garage are not visible from Andrews Avenue, the primary street. The façade of the garage is designed with an artistic interest and articulated as an integral part of the tower with active ground floor lobby and retail space on SW 1<sup>st</sup> Avenue and SW 6<sup>th</sup> Street;
- The proposed tower separation meets Downtown Master Plan guidelines. The proposed composition is based on positioning the three towers fronting three of the four adjacent streets while providing afternoon sun exposure to the three pool decks for the two residential towers and the hotel. Upscale finish materials including aluminum panels, simulated wood panels, ornamental grilles, clear glazing, water and sculptural features are proposed for commercial space to enhanced pedestrian;
- The streetwall on all streets are broken down with architectural articulation with variation in height, recesses, openings, material, texture and color in the design and articulation of the streetwall. A covered open space is provided at mid-block on Andrews Avenue not only to break up the length of the streetwall, but also provide outside seating and retail patron access to the street from the parking garage; and,
- A landscaped urban plaza lined with active uses is proposed at the intersection of Andrews Avenue and SW 6<sup>th</sup> Street. A covered open space is provided at mid-block on Andrews Avenue not only to break up the length of the streetwall, but also provide outside seating and retail patron access to the street from the parking garage.

**Urban Design & Planning Division Conditions:**

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, Section 47-38A, Park Impact Fees.
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.

**Engineering Conditions:**

1. Prior to submittal for building permitting, applicant shall detail in plans to upsize existing six (6) inch water main from SW 5<sup>th</sup> Street south along SW 1<sup>st</sup> Avenue then west along SW 6<sup>th</sup> Street to tie into existing eight (8) inch water main in SW Flagler Avenue, per the 8/23/2018 Water and Wastewater Capacity Availability Letter issued by City Public Works staff for this project.
2. Prior to submittal for building permitting, applicant shall detail in plans to permit, construct, own, operate and maintain a private gravity sewer and private pumping station. The applicant will also need to permit and construct a forcemain and tie in the City's transmission system. The applicant may propose an alternative solution to the satisfaction of the City, per the 8/23/2018 Water and Wastewater Capacity Availability Letter issued by City Public Works staff for this project.
3. Prior to issuance of Final Certificate of Occupancy (C.O.), applicant shall record a public right-of-way dedication or right-of-way easement along the west side of South Andrews Avenue consisting of nine (9) feet to complete the minimum eighty-eight (88) foot right-of-way section required per the Broward County Trafficways Plan as approved by the Broward County Highway Construction & Engineering Division (BCHCED).
4. Prior to issuance of Final C.O., applicant shall record a public right-of-way dedication or right-of-way easement on southwest corner of South Andrews Avenue & SW 5<sup>th</sup> Street intersection and on northwest corner of South Andrews Avenue & SW 6<sup>th</sup> Street intersection, each consisting of thirty (30) foot corner chord as approved by the BCHCED.
5. Prior to issuance of Final C.O., applicant shall record a public right-of-way easement along the north side of SW 6<sup>th</sup> Street and along the south side of SW 5<sup>th</sup> Street, each consisting of five (5) feet to complete the minimum fifty (50) foot right-of-way section as approved by the City Engineer.
6. Prior to issuance of Final C.O., applicant shall record a pedestrian sidewalk access easement along the west side of South Andrews Avenue to accommodate a portion of the required pedestrian clear path located outside of existing right-of-

way and proposed right-of-way dedication or right-of-way easement as approved by the BCHCED.

7. Prior to issuance of Final C.O., applicant shall record a pedestrian sidewalk access easement along the north side of SW 6<sup>th</sup> Street, east side of SW 1<sup>st</sup> Avenue, and south side of SW 5<sup>th</sup> Street, each to accommodate a portion of the respective required pedestrian clear path located outside of existing right-of-way and proposed right-of-way easements as approved by the City Engineer.
8. Prior to issuance of Final C.O., applicant shall dedicate a ten (10) foot by fifteen (15) foot utility easement for any four (4) inch or larger water meter and /or the first private sanitary sewer manhole located within the proposed development and outside of existing right-of-way and proposed right-of-way easements to facilitate City maintenance access as approved by the City Engineer.
9. Prior to issuance of Final C.O., applicant shall coordinate Maintenance Agreement with the BCHCED (for property frontage along South Andrews Avenue) and with the City (for property frontage along SW 6<sup>th</sup> Street, SW 1<sup>st</sup> Avenue, and SW 5<sup>th</sup> Street) as shown on Sheet X3 (Maintenance Agreement Area Exhibit). Proposed improvements within adjacent City right-of-way include concrete/specialty sidewalk and driveway paving, asphalt on-street parallel parking stall paving, concrete curb & gutter, curb, and valley gutters, landscaping including paver grates and structural soil, and irrigation.
10. Prior to issuance of building permit:
  - a. Provide precise grading plans, details and supporting calculations to demonstrate compliance with the Public Works' drainage/flooding/water quality criteria within the adjacent SW 1<sup>st</sup> Avenue and SW 5<sup>th</sup> Street right-of-way. Mitigate any proposed increased impervious area within adjacent City right-of-way, which may require a reduction in the number of proposed on-street parallel parking stalls along south side of SW 5<sup>th</sup> Street.
  - b. Revise plans to provide drainage pipes to drain structural soil at proposed tree planting areas, if on-site soils don't provide four (4) inch/hour minimum vertical percolation rate; coordinate Civil plans with Landscape plans as appropriate.
  - c. Revise plans to show location of building roof drains, and their proposed connection(s) to the on-site drainage system.
  - d. Revise plans to show all existing and proposed utilities on the Landscape plans for potential conflict.
  - e. Revise plans to show/label most current lane width configuration along the adjacent SW 6<sup>th</sup> Street (i.e. in front of Publix) as shown on Site Plan, which maintains the existing left turn lane and right turn lane widths for eastbound approach to South Andrews Avenue intersection.
11. Provide in Building Permit plans the pollution prevention and erosion control plan

showing the existing City's stormwater systems (adjacent to the proposed development), including size of stormwater pipes and inlets. Please include the following notes to this plan:

- a. Contractor shall Closed-Circuit TV (CCTV) the condition of the City's storm drain system before and after construction, and shall provide the videotapes to City stormwater operations group prior to construction & Final C.O. to verify that the City's stormwater system has not been negatively affected by the construction activities.
  - b. If debris is found in the City's stormwater system prior to construction, the general contractor shall inform the City's stormwater operations department for proper removal.
  - c. If debris is found in the City's storm systems as a result of construction activities, it will be the responsibility of the contractor to vacuum clean the City's stormwater system & provide proof of its final condition to the City's stormwater operations group for approval prior to Final C.O.
12. Prior to issuance of building permit, applicant shall obtain a surface water management license from the Broward County Environmental Protection & Growth Management Division (BCEPGMD). Please be advised Broward County requires all stormwater license applications submitted after June 30th, 2017 to comply with latest Broward County Future Conditions Average Wet Season Groundwater Average.
  13. Please be advised that within adjacent City right-of-way, staging/storage will not be allowed, construction fence shall not encroach within intersection corner sight triangles, construction fence gates shall not swing into the public right-of-way, and any Jib Crane radius shall not extend beyond private property boundaries.
  14. Please be advised that any City right-of-way closure over seventy-two (72) hours requires a Revocable License Agreement, processed by Property Right-Of-Way Committee (DRC) and approved by the City's Commission.

#### **City Commission Request for Review**

Pursuant to Section 47-13.20.N.2 , ULDR, Site Plan Level II development approvals within the RAC shall not be final until 30 days after preliminary DRC approval only if no motion is adopted by the city commission seeking to review the application pursuant to the process provided in Section 47-26.A.2 of the ULDR. The City Commission may adopt a motion to set a hearing to review the application if it finds that DRC has misapplied or failed to apply one or more requirements of the ULDR or the city's Comprehensive Plan in approving the application. The process for CRR may be initiated by a statement of intent filed by any member of the City Commission with the City Clerk with a copy to the department. Except as provided herein, the motion shall be considered within thirty (30) days of the decision by the lower body.

The motion approving a CRR shall set a date for consideration of the application no later

than sixty (60) days from the date the motion is adopted. Notice of the hearing shall be given to the public by posting a sign at least ten (10) days before the hearing in accordance with ULDR, Section 47-27, Notice Procedures for Public Hearing. Review by the City Commission shall be by de novo hearing supplemented by the record below and the same standards and criteria applicable to the development permit shall be applied. At the conclusion of the hearing the City Commission shall take action approving, approving with conditions or denying the application.

Should the City Commission wish to proceed with the CRR request, a hearing must be set within the requisite sixty (60) day period to consider the application relative to Riverparc Square.

### **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 – Abbreviated Plans Set

Exhibit 2 – City Commission Request for Review Memo

Exhibit 3 – Water and Wastewater Capacity Availability Letter

Exhibit 4 – Traffic Study

Exhibit 5 – Traffic Study Approval Letter

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