CITY OF FORT LAUDERDALE
City Commission Agenda Memo **#18-1188**
REGULAR MEETING

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

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

DATE: December 4, 2018

TITLE: Quasi-Judicial Resolution – Approval of Site Plan Level IV Development Permit for 18 Multifamily Residential Units – Orton Place LLC – 527 Orton Avenue – Case No. R18004

Recommendation

It is recommended that the City Commission adopt a resolution approving a Site Plan Level IV Development Permit for the construction of a multifamily residential building with eighteen (18) residential units in the North Beach Residential Area (NBRA).

Background

The proposed development was reviewed pursuant to criteria outlined in the City's Unified Land Development Regulations (ULDR) Section 47-12, Central Beach Districts. On October 17, 2018 the Planning and Zoning Board (PZB) recommended for approval by a vote of 7-1. The site plan and corresponding narratives are provided as Exhibit 1 and Exhibit 2, respectively. The PZB staff report and meeting minutes are attached as Exhibit 3 and Exhibit 4, respectively.

The proposed development consists of a six-story multifamily residential building approximately 75-feet in height with 18 residential units in the North Beach Residential Area (NBRA). The first floor will contain a lobby area and parking will be placed on the ground floor and include mechanical parking lifts. The rooftop will include a pool area.

The Development Review Committee (DRC) reviewed the proposal on January 9, 2018. The complete application and DRC record is available on file with the Department of Sustainable Development.

Review Criteria

Section 47-12.2 of the ULDR states that the intent of the NBRA zoning district is to encourage the preservation, maintenance and revitalization of existing structures and uses that makes up the distinct neighborhood that occurs in the center of the North Beach Area. Existing residential and transient accommodations represent a substantial resource of the Central Beach Area to be protected, preserved and enhanced. Residential uses are permitted at a density of up to 32 dwelling units per acre provided they meet the criteria

outlined for the NBRA District, Central Beach Criteria, Neighborhood Compatibility and Adequacy requirements, as defined further below. This development proposes 31 dwelling units per acre.

Pursuant to Section 47-12.5.E.1.d. of the ULDR, a development approved through the Site Plan Level IV process may request side yard setbacks to be reduced to 10 feet for the portion of the structure up to 35 feet and 20 feet for the portion of the structure greater than 35 feet and up to 75 feet. The rear setback may be reduced to 20 feet. The proposed setbacks are as follows:

- North Side Yard- 20 feet 4 inches at the ground floor and 26 feet 3 inches at the upper floors
- South Side Yard - 23 feet 2 inches on the ground floor and 34 feet 1 inch at the upper floors
- West Rear Yard - 20 feet at the ground floor and 28 feet 4 inches for the upper floors.

Pursuant to Section 47-12.6.B of the ULDR, the following criteria shall apply for developments located 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;

   Pursuant to Section 47-12.2 of the ULDR, the North Beach Residential Area District was established for the purpose of encouraging the preservation, maintenance and revitalization of existing structures and uses that make up the distinct neighborhood that occurs in the center of the North Beach area. In order to preserve the architectural heritage and scale of the area, staff requested that the applicant reduce the originally presented mass of the proposed building in order to be more compatible with neighboring buildings which range in height from two to seven stories. The applicant accommodated the request and made design changes to address building mass to be compatible with the character of the surrounding area.

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;

   An enhanced pedestrian-friendly public realm with active uses at the ground floor, street trees, and open space are key design components that can enhance and revitalize this distinct neighborhood. The applicant has made efforts to enhance the public realm and creating a more pedestrian-friendly ground level experience by locating a glass enclosed lobby and forecourt on the ground floor.

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 proposed architecture is compatible with the overall architectural theme of the North Beach Village area. The design also includes unique features including varying balcony widths and high-quality architecture features such as floor to ceiling windows, and aluminum and glass railing.

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; and

   The site will be enhanced with a wider 7-foot sidewalk and the swale area will be improved with landscaping including canopy trees and improved drainage accommodations.

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.

   The project reflects the intent of Central Beach master planning including additional landscaping, wider sidewalks and an active street front.

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. Adequate public services are available in the area to meet the needs and demand of the project. Water and wastewater is serviced by the City of Fort Lauderdale. A capacity letter has been issued by the City's Public Works Department dated August 10, 2018 which identifies the facilities and associated infrastructure servicing this project and the project's impact on capacity. The capacity letter is attached as Exhibit 5.

The properties to the north, south, east and west of the site are zoned NBRA. The buildings surrounding the project site range from two to seven stories. Directly to the south is a three-story hotel. To the east there are buildings that are five and seven stories tall. To the north and west are two-story hotel and multifamily residential buildings. The proposed building is generally compatible with the existing mass and scale of the surrounding buildings.

The applicant has submitted narratives regarding the project's compliance with Section 47-25.2, Adequacy Requirements, and Section 47-25.3, Neighborhood Compatibility Requirements of the ULDR, attached as Exhibit 2, to assist the City Commission in determining if the proposal meets these criteria. A context plan and perspective renderings depicting the height, mass, scale, shadow, materials and details, etc. of the proposed development as it relates to surrounding properties have also been provided with the submitted site plan.

Parking and Circulation

The applicant is proposing 39 parking spaces. The proposed plan includes 21 standard parking spaces with 18 mechanical parking lifts for a total of 39 parking spaces. Each parking space associated with a mechanical lift system will be designated to a specific residential unit. Bicycle parking is proposed on the first floor inside the garage entrance near the lobby entrance.

Pursuant to Section 47-20 of the ULDR, Parking Requirements, the following criteria apply:

Use	Parking Ratio	Spaces
Residential **3 Bedroom** **3 Bedroom + Den**	 2.1 space/unit 2.2 spaces/unit	 14.7 24.2
TOTAL REQUIRED	**39**	
TOTAL PROVIDED	**39**	

Per ULDR Section 47-12.6.F, beach development permits located in the Central Beach Area may have allocable capacity trips designated for development of if a finding of adequacy that traffic capacity is adequate to support the proposed development. A trip generation analysis was conducted by Flynn Engineering Services using the Institute of Transportation Engineers (ITE) *Trip Generation*, 9th Edition for the proposed redevelopment plan. The proposed redevelopment will generate 75 net new daily trips, 10 net new A.M. peak hour trips and 10 net new P.M. peak hour trips. If the proposed project is approved, 10 allocable capacity trips will be reserved for the project. The analysis can be found in Exhibit 6.

Comprehensive Plan Consistency

The proposed development is consistent with the City's Comprehensive Plan in that the residential use is permitted in the Central Beach Regional Activity Center land use category. The proposed development will add 10 P.M. peak hour trips to the area. If approved there will be 471 remaining trips in the Central Beach Regional Activity Center.

The project supports Future Land Use Objective 1.11: regarding utilizing the Beach Design Guidelines to create and enhance a positive visual and physical image of the Central Beach Regional Activity Center and Policy 1.11.2 regarding enhancing landscaping, street and pedestrian amenities through the development review process within the Central Beach

Regional Activity Center. In addition, the proposed development also supports Objective 1.19 regarding Neighborhood Compatibility and Policy 1.19.8 which requires the scale and mass of new development to be consistent with existing neighborhoods.

Public Participation

Site plan approval is subject to the public participation requirements established in Section 47-24.2.A.3.d. of the ULDR. Applicants must conduct a public participation meeting a minimum of 30 days prior to the PZB hearing. According to the applicant, public participation meetings were held on January 10, 2018 and March 29, 2018 to offer the neighborhood association surrounding the property the opportunity to learn about the proposal. An Affidavit of Public Participation Notification and a summary of the meetings have been provided by the applicant and are attached as part of Exhibit 7.

Conditions of Approval

The Planning and Zoning Board recommended approval (7-1) of the site plan with the below conditions with the exception that Condition 3 has been amended to allow preliminary archaeological reports submitted prior to issuance of the building permit rather than prior to final DRC. Should the City Commission recommend approval of the development, the following conditions are proposed:

1. Prior to issuance of building permit, applicant will be required to pay a Park Impact Fee for the proposed residential units in accordance with ULDR Sec. 47-38A.

2. Prior to Final DRC, applicant shall provide a final School Capacity Availability Determination (SCAD) letter that confirms that school capacity is available, or if capacity is not available, that mitigation requirements have been satisfied

3. The applicant is required to contract with an archaeologist to provide a shovel test survey that includes samples from throughout the project site and states whether the development site holds archaeological significance. The archaeologist must state within the report if further testing on the site is required and/or if monitoring by the archaeologist is required during ground disturbing activity once construction commences. All preliminary reports from the archaeologist must be submitted, prior to issuance of building permit, to both the Case Planner and Historic Preservation Planner. If monitoring is required, the applicant must also provide a letter of agreement with the archaeologist stating that they will be present during phases of the project that include ground disturbing activity.

4. Engineering Conditions:

a. Prior to Final DRC approval, applicant shall revise plans to remove proposed on-street parallel parking stalls along Orton Avenue, due to high future groundwater table elevation and concern for flooding in the area. Proposed concrete curb and gutter layout along Orton Avenue to remain, but revised as appropriate with breaks in curb to allow for conveyance of street drainage into swale area. Plans shall also be revised to show over-excavation of existing compacted soil between proposed curb and gutter and public access sidewalk within adjacent Orton Avenue right-of-way, and design with a viable roadside swale (vegetated bioswale over an open-graded rock layer is preferred).

b. Prior to issuance of Certificate of Occupancy (C.O.), applicant shall dedicate a 10-foot by 15-foot utility easement for any 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 to facilitate City maintenance access as approved by the City Engineer.

c. Prior to issuance of C.O., applicant shall coordinate a Maintenance Agreement with the City for property frontage along Orton Avenue as shown on Sheet MX (Maintenance Agreement Exhibit). Proposed improvements within adjacent City right-of-way include concrete driveway paving, concrete curb & gutter and valley gutters, swale, landscaping including structural soil, and irrigation.

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 7: Be a well-positioned City within the global economic and tourism markets of the South Florida region, leveraging

- Objective 1: Facilitate a responsive and proactive business climate.

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

Attachments
Exhibit 1 - Application and Site Plan
Exhibit 2 - Applicant's Narratives
Exhibit 3 - PZB Staff Report
Exhibit 4 - PZB Meeting Minutes from October 17, 2018
Exhibit 5 - Water and Sewer Capacity Letter
Exhibit 6 - Traffic Statement
Exhibit 7 - Public Participation Summary and Affidavit
Exhibit 8 - Approval Resolution

Exhibit 9 - Denial Resolution

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