



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

#18-1282

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

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

DATE: December 18, 2018

TITLE: Quasi-Judicial Resolution – Site Plan Level II – Approval of Site Plan Level II Development Permit for a 90 foot High Mixed-Use Development consisting of 72 Affordable Housing Units and Ground Floor Commercial Space through the application of the Affordable Housing Height Bonus – Broward Partnership for the Homeless, Inc. – 920 NW 7th Avenue – Case No. R18078

Recommendation

It is recommended the City Commission adopt a resolution approving a Site Plan Level II Development Permit for the construction of a 90 foot high mixed-use development consisting of 72-Affordable Housing units and Ground Floor Commercial Space through the application of the Affordable Housing Height Bonus pursuant to Section 47.13.52.B, Unified Land Development Regulations, City of Fort Lauderdale (ULDR) entitled “Special Regulations, Performance Standards and Criteria for Additional Height Bonus”, in the North West Regional Activity Center-Mixed Use east (NWRAC-MUe).

Background

On September 4th, 2018, the City Commission approved an associated rezoning application (Case # Z18003) for 0.936 acres of the 3.4-acre parcel of land to change the zoning from General Business (B-2) to North West Regional Activity Center-Mixed Use east (NWRAC-MUe) district to allow for a proposed affordable housing multifamily development on the subject property. The parcel is owned by Broward County, with Broward County Partnership for the Homeless, Inc. (BPHI) overseeing the use and operation of the site. Meeting Minutes for Case #Z18003 are attached as Exhibit 1.

BPHI currently operates a homeless assistance center at 920 NW 7th Avenue, located north of the proposed development, providing more than 200 beds to the homeless. BPHI, in partnership with Green Mills Group, seeks to expand their efforts by focusing on rapid rehousing efforts, placing formally homeless individuals and families into affordable housing. The project proposes to construct an 8 story, 72 multifamily residential apartment building with ground floor commercial space, at a height of 90 feet. All units within the project will be affordable, with 50% of the units rented to formerly homeless individuals requiring permanent supportive housing, and the remaining 50% of the units will be rented to individuals earning less than 60% of the area median income. The project

will be applying to the State of Florida Low Income Housing Tax Credit (LIHTC) program and will have to adhere to the rent restrictions required by the program.

The Application and Applicant's Narratives are included as Exhibit 2. Site Plans are included as Exhibit 3.

Section 47-13.52.B, of the ULDR outlines performance standards by which an applicant may request additional height above the maximum 65 feet allowed for the NWRAC-MUe zoning district when the project qualifies as an affordable housing development. This allows for the development to reach a maximum height of 110-feet. This standard was introduced into the ULDR to help facilitate affordable housing projects, which requires projects to go through the Development Review Committee (DRC) process prior to moving forward to the City Commission, as a site plan level II for City Commission approval. However, for projects that utilize LIHTC, developing fully executed plans adds additional cost to a project prior to a determination that the project will be granted LIHTC. To help facilitate this process in a manner that allows the applicant to continue with the LIHTC process and have the City Commission give a determination on the additional height, staff has done a cursory review of the plans during the DRC process. The applicant acknowledges that pursuant to Section 47-24.2.A.6 the approval of the development permit does not become final and effective until after final DRC review and execution.

The DRC reviewed the proposal on November 27, 2018. The complete application and DRC record is available on file with the Department of Sustainable Development.

Review Criteria

Pursuant to Section 47.24.1. (Table 1-24.g) the proposed development requires a Site Plan Level II Review by the Development Review Committee and City Commission because the proposed building exceeds sixty-five (65) feet in height, per Section 47-13.31.- Note B-Table of Dimensional Requirements for the NWRAC-MU District. The project is requesting 25-feet in height over the permitted 65-feet in height that is permitted by-right, for a total building height of ninety 90-feet. The proposed development is also subject to meeting the Performance Standards of Section 47-13.52. B. and Adequacy Review requirements, per Section 47-25.2, outlined below.

Adequacy and NWRAC-MU Special Regulation Performance Standards

The Applicant has addressed the Adequacy Requirements, as required by Section 47-25.2. of the ULDR, and that the proposed development will be properly served by public services and facilities.

Section 47-13.52.B.1.b.i. of the ULDR defines an affordable housing development as "...housing subsidized by the federal or state government...". The proposed development will be seeking Low Income Housing Tax Credits (LIHTC) through the Florida Housing Finance Corporation's, Housing Credit (HC) program. The HC program requires at least twenty (20) percent of the housing units to be set-aside for households earning fifty (50) percent or less of the area median income (AMI), or forty (40) percent of the units must be set-aside for households earning sixty (60) percent or less of the AMI. The basis for

staffs support of the height bonus is the projects anticipated obtainment of LIHTCs, which if awarded, would qualify the project as an affordable housing development per the ULDR's definition. Moreover, the project proposes to construct one hundred (100) percent of the residential units as affordable and surpasses the ten (10) percent requirement for receiving the height bonus.

Furthermore, staff believes the additional height criteria of Section 47-13.52.B.4, requiring review of subject location, compatibility and building massing, have been met. The surrounding zoning districts consist of Boulevard Business (B-1), General Business (B-2), Heavy Commercial/Light Industrial Business (B-3), and General Industrial (I), all of which permit a maximum height of 150-feet. The proposed height increase is for a total of 90-feet, 60-feet less than the maximum height permitted by all nearby zoning districts.

The potential impacts of the proposed use on existing uses are nominal, with nearby uses consisting of commercial and industrial buildings. The proposed development site is adjacent to warehouses, commercial wholesale uses, and auto repair uses within the Heavy Commercial/Light Industrial District (B-3) zoning district to the east and west, along NW 7th Avenue and NW 6th Avenue, respectively. To the south, there are commercial wholesale uses along NW 9th Street within a General Industrial (I) zoning district. To the north is the Partnership for the Homeless, Inc. a homeless assistance center and the Sunrise Boulevard corridor, with a Boulevard Business (B-1) zoning designation.

As the neighborhood and area transitions to accommodate both commercial and residential uses, the proposed structure will serve the corridor of NW 7th Avenue through its adherence to the Northwest-RAC Illustration of Design Standards. The application of the guidelines will control the massing of the proposed structure, by limiting floorplate size, requiring a maximum shoulder height that allows the base of a structure to be in alignment with the human scale, and building step-backs after 65-feet in height. Table 1 provides a comparison of abutting zoning district dimensional requirements. Table 2 provides Shoulder Height, Floorplate Size and Stepback Regulations for the proposed structure.

Dimensional Requirements (Table 1)

Zoning District	Permitted Height	Minimum Front Yard	Minimum Corner Yard	Minimum Side Yard	Minimum Rear Yard
Boulevard Business (B-1)	150'	5'	5'	0' *	0' *
General Business (B-2)	150'	5'	5'	0' *	0' *
Heavy Commercial/Light Industrial Business (B-3)	150'	5'	5'	0' *	0' *
General Industrial (I)	150'	5' *	None	5' *	5' *
NWRAC-MUe	65' up to 110' with City Commission Approval	5' *	5' *	5' *	5' *

* Additional setback requirements apply when contiguous to residential property.

Shoulder Height, Floorplate Size and Stepback Regulations (Table 2)

(**) Min. Shoulder Height	25 ft (2 Stories) min		
(**) Max. Shoulder Height	65 ft (5 Stories) max		
When abutting residential	45 ft max		
(**) Tower Stepback			
(**) Tower Floorplate Separation	Floorplate Max	Floorplate Max	Side /Rear Stepback Min
Non-Residential	≤16,000 sf	≤16,000 sf	20 ft min
	16,001—20,000 sf	16,001—20,000 sf	25 ft min
	20,001—32,000 sf	20,001—32,000 sf	30 ft min
Residential	≤ 8,000 sf	≤ 8,000 sf	20 ft min
	8,001—10,000 sf	8,001—10,000 sf	25 ft min
	10,001—12,000 sf	10,001—12,000 sf	30 ft min
	10,001—12,000 sf	10,001—12,000 sf	30 ft min

Comprehensive Plan Consistency

The proposed development is consistent with the City's Comprehensive Plan in that the residential development and commercial use are supported by the underlying future land use of the Northwest Regional Activity Center (NWRAC), and furthers the goals of the City's land use and housing goals, as follows:

The project is supported by Future Land Use Goal 1, by aligning with and promoting the distribution of land uses that "meet the social and economic needs" of the City of Fort Lauderdale, while ensuring compatibility of land uses and providing adequate services and facilities. Additional affordable housing facilities will enhance the City and community by providing essential services and resources to residents.

The project is further supported by Objective 1.10: Northwest Regional Activity Center (Northwest-RAC) Redevelopment Efforts and Objective 1.21: Encouraging Mixed Use Development, by providing affordable housing opportunities to very low and low-income households within the Northwest-RAC and supporting a live, work, and shop environment to a rapidly redeveloping area by developing a mixed-use, affordable housing project.

Public Participation

The site plan approval is subject to the public notice requirements established in ULDR Section 47-27.3., requiring notice be given by agenda posting prior to the City Commission Meeting.

Conditions of Approval

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

1. The final approval of the DRC is subject to a commission request for review ("CRR") as provided in Section 47-26A.2, ULDR. The CRR motion may be considered within fifteen (15) business days of the final DRC approval. The development permit shall be final and effective after the expiration of the fifteen (15) day period if no action is taken by the city commission.

Attachments

Exhibit 1 - Meeting Minutes for Case No. Z18003
Exhibit 2 - Application and Applicant's Narratives
Exhibit 3 - Site Plans
Exhibit 4 - Resolution of Approval
Exhibit 5 - Resolution of Denial

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