**CITY OF FORT LAUDERDALE**
**City Commission Agenda Memo** **#19-0515**
**REGULAR MEETING**

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

**FROM**: Chris Lagerbloom, ICMA-CM, City Manager

**DATE**: May 21, 2019

**TITLE**: Quasi-Judicial Resolution – Approval of Site Plan Level IV Development Permit for a 205 Room Hotel with 381 Space Parking Garage – Beach Boys Plaza – 401 S. Fort Lauderdale Beach Boulevard – Case No. R18011- **(Commission District 2)**

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## Recommendation

It is recommended that the City Commission adopt a resolution approving a Site Plan Level IV Development Permit for the construction of a project with 205 hotel units, 381 space parking garage and 5,310 square feet of commercial/retail use in the A-1-A Beachfront Area District (ABA).

## 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 February 20, 2019 the Planning and Zoning Board (PZB) recommended approval of the development by a vote of 7-2. 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 development consists of a sixteen-story building, approximately 172-feet in height to be located between Seabreeze Boulevard and Atlantic Boulevard (State Road A1A) south of the City's proposed Oceanfront Park and Plaza. The first floor will contain active storefront uses as well as service and lobby area with access to the parking garage. The garage/podium base will occupy levels 2 through 6 which will be located on the second floor. Floors seven through sixteen will include hotel rooms. The pool, pool deck and lounge area for the hotel will be located on the seventh floor. As part of the Site Plan Level IV request, the applicant is requesting reduced side yard setbacks and increased Floor Area Ratio (FAR).

The Development Review Committee (DRC) reviewed the proposal on February 13, 2018. The complete application and DRC record is available on file with the Department of Sustainable Development.

**Review Criteria**

As per ULDR Section 47-12.2, the intent of the A-1-A Beachfront Area District is to promote high quality destination resort uses that reflect the desired character and quality of the Fort Lauderdale beach area and improvements along State Road A1A. The district is intended as a means of providing incentives for quality development and redevelopment and to ensure that such development is responsive to the character, design and planned improvements as described in the revitalization plan. Residential and hotel uses are permitted provided they meet the criteria outlined for the ABA District, Central Beach criteria, Neighborhood Compatibility and Adequacy Requirements, as defined further below.

Pursuant to ULDR Section 47-12.5.B.1., A-1-A Beachfront Area (ABA) District Setbacks, the minimum side yard setback is 10-feet and setbacks along public rights-of-way must have minimum of 20-feet for a development approved through the Site Plan Level IV process. The proposed building proposes a north side yard setback of 17-feet 6-inches and a south side yard setback of 10-feet.

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

   *The proposed development seeks to enhance the overall beach experience through a combination of public realm improvements along the site perimeter and introduction of a new hotel use, parking garage, restaurant and retail amenities. The streetscape provided along Seabreeze Boulevard includes enhanced paving, art, seating, bike parking, lighting and landscape for shade.*

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;

   *Along State Road A1A, the project will provide improvements to the existing uses along the beachfront promenade. This will be accomplished by activating the northwest corner of the site with outdoor dining and enhancing the existing staircase. In coordination with the City's Oceanside Park enhancements, the proposed development has designed a broadened pedestrian walkway enhanced with a combination of hardscape, landscape and pedestrian amenities.*

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 design concept is compatible with the character of the overall plan of development contemplated by the revitalization plan for the central beach area. The building finish palette includes materials receptive and complementary to the beach and surrounding environment, including smooth concrete walls with expansive glazing which will allow the reflection of the surrounding Beach and Park landscape. In addition, linear metal cable railing, and other architectural elements such as glass balcony dividers with wood top railing features contribute to a nautical appearance.*

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;

   *The proposed development incorporates design and architectural elements which help to mitigate the development's impacts on existing uses in the immediate vicinity. Structured parking visible from the right-of-way is enveloped by artistic metal screen panels and a color tinted translucent glazed screening system to allow light, air, and visual interest. The building is lined with active uses, including multiple retail bays, restaurant space, outdoor dining areas and a pedestrian walkway fronting the proposed Oceanfront Park and Plaza, as well as Seabreeze Boulevard and State Road A-1-A. Overall the combination of these elements is integrated with the overall site design approach for the project, which works to create an enhanced and engaging beach experience.*

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 proposed development seeks to enhance the overall beach experience through a combination of public realm improvements along the site perimeter and introduction of a new hotel use, parking garage, restaurant and retail amenities.*

**Design Compatibility and Community Character Scale - ABA District**

The applicant may request an increase in the FAR based upon scoring using the design compatibility and community scale per ULDR Section 47-12.5.B.6. The applicant is requesting an increase in FAR from 4 to 4.36, which requires a rating of at least seven on the design compatibility and community character scale. Based upon the scale and proposed design elements, the applicant has presented a rating of nine. Staff has reviewed the request and agrees with the analysis as provided below. Pursuant to the ULDR, the criteria for the design compatibility and community scale and scoring are defined as follows:

*i. Distinctive design that reflects positively on the overall character of the city: one point;*

The proposed project contributes to the public realm by proposing a mixed-use development with retail and restaurant uses focused on the new Oceanside Park public space, while strategically locating public parking, with community facilities at the plaza level accessible to visitors and residents. According to the applicant the building has a distinguishable "modernist" architectural appeal with clean lines.

*ii. Architectural character that reflects a particular sensitivity to the history and culture of south Florida: one point;*

The project exhibits an expressive structural composition which includes strategic-extended floor plates combined with dividing vertical pillars offer open-air terraces, provide shade and cover, and break down the vertical and linear building form into individual gathering amenities at a pedestrian scale. Utilizing the "form-follows-function" principal, building uses and activities are strategically arranged in connection to the unique site to create the form of the building. Rather than embellishment, structure is expressed and vernacular concepts (such as cantilevered balconies that provide open air circulation and sun screening) are emphasized and activated with public and private uses; offering an active indoor-outdoor character, with clean lines, inviting to the public, in celebration with the culture of Fort Lauderdale's main beach corridor and beach-front park.

*iii. Color and composition that reflects the natural colors and composition of south Florida: one point;*

The building finish palette includes materials complementary to the beach and regional environment, including a smooth white concrete finish, expansive glazing which will allow the reflection of the beach and adjacent park, linear metal cable railings with wood top rails and other wood elements such as louvers, balcony dividers, and wood decks for a nautical reference. Structured parking visible from the thoroughfare is enveloped by an artistic metal and translucent glazing screen system to allow light, air, and visual interest. Active uses will line the façade facing the Oceanfront Park, Seabreeze and A1A.

*iv. Architectural design that represents a deviation from "sameness": one point;*

Expansive second level restaurant terraces, open air stair towers, a lookout tower, a six-story living green wall, and artistic garage screening all contribute to a unique architectural statement. The hotel tower levels, secured from the open-circulated base levels, promote a similar indoor/outdoor connection to the beach, park, and extensive views, while affording privacy for hotel guests.

v. *Building orientation that relieves the monotony of building massing and scale along A-1-A: one point;*

The proposed building is oriented to face and interact with both AIA, Seabreeze Boulevard, and a seamless transition for visitors to the proposed Oceanfront Park and Plaza. The building massing is defined by the tower base and tower without attempting to fill the voids between each level and the 45-degree beach shadow line. In return, large open terraces are provided; one public at the second level, and one for hotel amenities at the seventh level.

*vi. Accessible pedestrian spaces that are integrated into public pedestrian spaces and corridors along A-1-A: one to three points depending on the area of the pedestrian area according to the following:*

*a. Up to five thousand (5,000) square feet of pedestrian area (one point) and*

*b. Greater than five thousand (5,000) square feet of pedestrian area (one-tenth of a point) for each additional two thousand (2,000) square feet of pedestrian area above five thousand (5,000) square feet (up to a maximum of two points):*

The ground level outdoor areas along the park and within the garage provide at least 5,000 square feet of outdoor dining, benches, landscaping on site. In addition, the rooftop of the parking facility will be accessible to the community.

*vii. Distinctive public facilities that contribute to the destination resort character of the central beach area including plazas, courtyards and parks (one-tenth of a point) for each 1,000 square feet of distinctive public facilities (up to a maximum of two points):*

The project will provide direct public access to retail and restaurant uses at the ground level facing the proposed Oceanfront Park and Plaza. This will provide tourists and residents with amenities that will contribute to the resort character of the Central Beach. In addition, the project provides 162 public parking spaces in the Central Beach area. The ground floor retail and restaurant uses and public parking may contribute one point to this criterion.

*viii. Lot aggregation: one-tenth (0.1) point for each 1,000 square feet of land area proposed for development above twenty-five thousand (25,000) square feet up to a maximum of two points; and*

*ix. Consolidation of previously parceled land (five-tenths of a point) for each five thousand (5,000) square feet of land that is assembled into the parcel of land proposed for development up to a maximum of (two points):*

This proposal consolidates two full lots and a portion of a third. The parcel of land consists of 72,500 square feet allowing for the maximum allocation of two points. The applicant is not requesting points under the specific criteria.

**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 16, 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 neighborhood compatibility criteria of ULDR Sec 47-25.3.A.3.e.iv include performance standards requiring all developments to meet the following criteria: bulk controls, density, floor area ratio, maximum height, and building yards; massing guidelines including overall height, vertical plane moderation, cornice height, façade treatment, and over-street connections; street level guidelines including active uses, fenestration, arcades/canopies, and trash/loading facilities; other guidelines including energy conservation, building separation, and rooftop design; vehicular circulation including ingress/egress and arrival drop-off areas; pedestrian circulation including urban/open spaces/plazas, pedestrian corridors, and parking; perimeter treatments including screening, paving, and landscape; site furnishings, signage, lighting, useable outdoor spaces, pedestrian accessible spaces, and defensible space.

As per ULDR Sec. 47-25.3.A.3.e.i.b, consideration shall be given to the recommendations of the adopted neighborhood master plan in which the proposed development is to be located, or which it abuts, although such neighborhood master plan shall not be considered to have the force and effect of law. The City is in the process of updating the 2009 Draft Central Beach Master Plan, which is intended to take the place of previous plans for the Central Beach area, and the applicant has made efforts to accommodate the intent of the guidelines. The draft Central Beach Master Plan encourages improving streets over time to enhance the pedestrian experience and its focus along with the City's Vision Plan enhancing the Beach as a vibrant resort and residential environment.

The properties to the north and south are also zoned A-1-A Beachfront Area (ABA), a district which promotes high-quality destination resort uses. Directly north is the City's proposed Oceanfront Park and Plaza property currently undergoing renovations for beach

visitor drop off, open space, and landscaping and directly to the south of the subject site is a 12-story 240 room hotel. Directly to the west is a one-story retail use and restaurant with surface parking, both are zoned South Beach Marina and Hotel Area (SBMHA).

The proposed hotel is generally consistent with the scale of buildings in the surrounding area and seeks to enhance the overall beach experience through a combination of public realm improvements along the site perimeter and introduction of a new hotel use, parking garage, restaurant and retail amenities. Through the DRC process, staff requested that the applicant provide changes to the building façade and address building mass and scale. In particular, staff requested greater articulation of the facade a more distinctive design and creative treatment of the parking garage screening, as well as placement of active uses at the ground level in order to enhance the public realm along Seabreeze Boulevard, State Road A1A and abutting the Oceanside Park and Plaza. The applicant has addressed these design aspects.

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, attached to the plan sets, 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 of the proposed development as it relates to surrounding properties have also been provided with the site plan submittal material. The narratives, context plans, renderings and site plan are provided as Exhibit 1 and Exhibit 2, respectively.

**Parking and Circulation**

Vehicular ingress and egress into the site is provided from Seabreeze Boulevard. Access to the proposed hotel and parking facility will be provided at the northwest corner of the property along Seabreeze Boulevard. This single access point will minimize vehicular and pedestrian conflicts. The 24-foot wide ingress and egress lanes are left turn only and marked by a 10-foot wide marked crosswalk. The service entry to the building is located at the southwest corner of the site along Seabreeze Boulevard also marked with a wide pedestrian crosswalk.

As per ULDR Section 47-20, Parking Requirements, a total of 219 parking spaces are required for the project which includes proposed and existing uses as follows:

**Table 1 – Parking Table**

| **Parking Requirements** | | | | |
|---|---|---|---|---|
| **Use Type** | **Ratio** | **Area** | **Required** | **Proposed** |
| Hotel | 0.67 per room | 205 Rooms | 137 | |
| Proposed Retail | 1 per 500 SF | 2010 SF | 4 | |
| Proposed Restaurant | 1 per 114 SF | 3300 SF | 29 | |
| Existing Retail | 1 per 500 SF | 6090 SF | 12 | |
| Existing Restaurant | 1 per 114 SF | 4100 SF | 37 | |

| | | | |
|---|---|---|---|
| **TOTAL** | | **219** | **381** |

Parking for the project will be addressed within the parking garage which accommodates 381 spaces of which 75 mechanical parking spaces are proposed on parking level 5 and will be restricted to valet service only.

The trip generation analysis, dated December 21, 2018, and prepared Traf Tech Engineering, Inc, utilizes the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition for the proposed redevelopment plan. The proposed redevelopment will result in 1,991 net new daily trips, 142 net new A.M. peak hour trips and 155 new P.M. peak hour trips. The percentage of daily traffic trips occurring during the peak hours is less than 8% for both peak periods. The Traffic Statement is provided as Exhibit 6.

**Comprehensive Plan Consistency**

The proposed project is consistent with the City's Comprehensive Plan, in that the proposed uses are permitted in the Central Beach Regional Activity Center land use category. Per the Comprehensive Plan, development growth in the Central Beach Regional Activity Center is restricted to no more than 3,220 peak hour trips.

As it relates to the Central Beach redevelopment efforts, the Beach Boys Plaza project continues to ensure that development of the Central Beach RAC will be consistent with the Community Redevelopment Area Plan as established in Future Land Use Element Policy 1.9.2 by providing appropriate activities within the beach redevelopment area and will provide improved infrastructure to help implement the Central Beach Redevelopment Plan.

As it relates to the surrounding context, the Beach Boys Plaza development furthers Future Land Use Element Policy 1.11.2 by providing enhanced landscaping, street and pedestrian amenities through the development review process within the Central Beach RAC. The Comprehensive Plan has policy 1.21 regarding neighborhood compatibility, through which proposed development shall encourage mixed-use developments to enhance the livability of the City through encouragement of an attractive and functional mix of living, working, shopping and recreational activities.

As it relates to tourism, the development furthers Future Land Use Element Policy 1.35.1 by proposing to further increase the City's attractiveness to tourists through the establishment of a land use pattern aimed at accommodating increased tourism while enhancing the area's natural and man-made environments such as beaches, shorelines and marine facilities.

The City's Future Land Use Map indicates that the proposed project is located within the boundaries of the Beach RAC. Per an Interlocal Agreement between the City and Broward County, the City is required to monitor and track development entitlements in the City's Regional Activity Centers. The Beach RAC development limitations are based on residential units and vehicular trips. As stated in the Traffic Study provided by the Applicant the project will generate a total of 155 PM peak hour trips.

Vehicular trips are allocated on a “first come first serve” basis upon development approval. There are two pending projects located in Central Beach RAC listed on the May 7, 2019, City Commission Agenda. The Bayshore Hotel CAM# 19-0340 is on the June 4, 2019 agenda. If Beach Boys Plaza alone is approved by the City Commission there will be 84 peak hour trips remaining for allocation on the beach. If both projects are approved by the City Commission 58 peak hour trip will remain for allocation on the beach.

**Public Participation**

The request is subject to the public participation requirements established in ULDR Section 47-27.4. According to the applicant, public participation meetings were held during the months of April, May, September and November of 2018 in order to offer the neighborhood association surrounding the property the opportunity to learn about the proposed project. A summary of the public participation meetings and affidavits are provided as Exhibit 7.

The applicant also met with City Parks and Recreation staff and the Beach Community Redevelopment Agency (CRA) design consultants EDSA, Inc. and Kimley-Horn, to coordinate the public realm design and site improvements that will occur adjacent to the park.

At the May 7, 2019 City Commission meeting, the Commission requested information related to the number of approved Beach projects which have yet to begin construction and the total number of trips allocated to such projects. Currently, there are six Beach projects approved, which total 726 trips. Two of the six projects have received State of Emergency extensions pursuant to Fla. Statue 252.363. These projects include Elad Development North, which has 157 trips allocated and Bahia Mar which has 460 trips allocated. In regards to the Beach Boys traffic analysis, the Commission requested to see the Florida Department of Transportation pre-application approval letter, this letter has been provided as Exhibit 8. In addition, the Commission requested communication from Broward County regarding the interlocal agreement for the Beach RAC, specifically the monitoring of trips per the agreement. Staff has reached out to Broward County to request such a statement and will be prepared to address the results of the request at the May 21 meeting.

**Conditions of Approval**

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

1. At time of permit submittal, applicant will be required to pay a Park Impact Fee for the proposed hotel units prior to issuance of building permit in accordance with ULDR Sec. 47-38A;

2. After review of the results and recommendations provided in the Phase I of the Cultural Resource Assessment of the Beach Boys Plaza site, it is recommended that the DRC application receive final sign-off with the contingency that a Phase II Cultural Resource Assessment be conducted in conjunction with applications for

any necessary demolition permits to perform the additional testing. Once the Phase II Cultural Resource Assessment is complete it shall be provided to the Historic Preservation Board Liaison prior to the issuance of foundation or building permits. Dependent on the results from the Phase II Cultural Resource Assessment, further testing or mitigation may be recommended to take place prior to the issuance of a foundation or building permit. Additionally, monitoring may also be required during ground disturbing activity which would require the archaeologist to be on site while this portion of the construction is occurring. If this is recommended, a letter of agreement with the archeologist shall be submitted to the Historic Preservation Board Liaison stating that they will be present during phases of the project that include ground disturbing activity.

The selected archaeological consultant shall first provide a draft management plan in preparation of the Phase II Cultural Resource Assessment that identifies the locations of testing and monitoring within the site which shall be approved by the Historic Preservation Board Liaison. Following the submittal and approval of the management plan, the Phase II Cultural Resource Assessment shall be conducted to provide further data on the deposits within the site, determine the boundary of the site, and to confirm as to whether the site meets the criteria for National Register Eligibility.

3. Prior to Final DRC, the applicant must comply with ULDR Section 47-25.2.P. regarding archaeological resources by documenting compliance with the State, County, or other agency/entity with jurisdiction over archaeological matters and submitting this information to the City.

4. Prior to issuance of Final Certificate of Occupancy (C.O.), applicant shall record a public right-of-way easement along the east side of State Road A1A/Seabreeze Boulevard consisting of approximately twenty-two and a half (22.5) feet to complete half of minimum eighty-five (85) foot right-of-way section required per the Broward County Trafficways Plan as approved by the Florida Department of Transportation (FDOT).

5. Prior to issuance of Final C.O., applicant shall record a public right-of-way dedication or right-of-way easement along the west side of State Road A1A/S. Fort Lauderdale Beach Boulevard consisting of one and a half (1.5) feet to complete half of minimum seventy-three (73) foot right-of-way section required per the Broward County Trafficways Plan as approved by the FDOT.

6. Prior to issuance of Final C.O., applicant shall record a public pedestrian sidewalk access easement along the east side of State Road A1A/Seabreeze Boulevard to accommodate a portion of the required pedestrian clear path located outside of existing right-of-way and proposed right-of-way easement as approved by the FDOT.

7. Prior to issuance of Final C.O., applicant shall record a cross-access easement agreement with the private property owner immediately to the north, as approved by the FDOT (per their Pre-Application Letter dated 11/16/2018).

8. Prior to issuance of Final C.O., applicant shall record a ten (10) foot by fifteen (15) foot utility easement for any four (4) inch or larger water meter vault 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 a Maintenance Agreement with the FDOT for property frontage along State Road A1A/Seabreeze Boulevard.
10. Prior to issuance of Final C.O., applicant shall:

    a. Provide documentation showing FDOT and Broward County Highway Construction & Engineering Division (BCHCED) concurrence with location/configuration of irregular centerline alignment of State Road A1A/Seabreeze Boulevard right-of-way adjacent to this project, as well as with delineation of proposed right-of-way easements required per the Broward County Trafficways Plan.

    b. Provide letters of ”no objection” from AT&T, Comcast, FP&L, and Teco for construction of proposed stairs and sidewalk dining area improvements within existing fifteen (15) foot Utility Easement/Public R/W Easement located along the adjacent State Road A1A/S Fort Lauderdale Beach Boulevard right-of-way.

**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 Business Development 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 our airports, ports, and rail connections.
- Objective 1: Define, cultivate, and attract targeted and emerging industries.
- Initiative 2: Work with partners to promote Fort Lauderdale as a year-round destination for domestic and international travel.

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

**Attachments**
Exhibit 1 - Site Plan
Exhibit 2 - Project Narratives

Exhibit 3 - PZB Staff Report
Exhibit 4 - PZB Meeting Minutes
Exhibit 5 - Water and Sewer Capacity Letter
Exhibit 6 - Traffic Statement
Exhibit 7 - Public Participation Summary and Affidavit
Exhibit 8 - Florida Department of Transportation Pre-application Approval Letter
Exhibit 9 - Approval Resolution
Exhibit 10 - Denial Resolution

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