



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

**#19-0689**

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

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

**DATE:** July 9, 2019

**TITLE:** Quasi-Judicial – Resolution Approving a Site Plan Level IV Beach  
Development Permit – Las Olas Marina – Las Olas SMI, LLC., Applicant  
on Behalf of City of Fort Lauderdale - 151 Las Olas Circle – Case No.  
R18018 (**Commission District 2**)

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**Recommendation**

It is recommended the City Commission consider a resolution approving a site plan for a 68-slip marina located on the Intracoastal Waterway at 151 Las Olas Circle. The project includes a proposal for an 11,231 square-foot building containing a quality restaurant, a 24,401 square-foot marina services building, including a casual restaurant, and ancillary buildings totaling 2,266 square-feet.

The City Commission will determine whether the proposed development or use meets the standards and requirements of the Unified Land Development Regulations (ULDR) and criteria for the Site Plan Level IV development.

**Background**

Pursuant to a lease agreement with the City of Fort Lauderdale, dated April 30, 2018, Las Olas SMI, LLC proposes to develop a marina facility on the subject property. In addition to the boat slips and docks that are standard at marinas, the lease requires the development of waterfront support facilities including restaurants, ancillary retail uses, hospitality services, boat and boater facilities, and a ship store.

The proposal contemplates the development of a marina that will serve various types of boaters including local boaters as well as the international mega-yacht industry. The uses and amenities proposed as part of the project are intended to create a world-class marina, showcasing Fort Lauderdale as one of the premier cities in the world for the marine industry.

The project includes sidewalks ranging from eight feet to nineteen feet in width in the form of a public pedestrian promenade throughout the project and abutting the waterway. The public pedestrian promenade will be approximately 1,700 linear feet in length. New

extensive landscaping along the promenade will include 192 new trees and approximately 6,400 new shrubs and other plantings. The promenade will also include various types of pedestrian seating and bicycle racks. The promenade will complete the Las Olas Circle connection from south of the Las Olas bridge to the north of the Las Olas Bridge, providing a significantly improved continuous pedestrian connection along the Intracoastal Waterway.

The project includes:

- 68 boat slips, spanning up to 7,000 linear feet of dock space to accommodate both mega-yachts and smaller vessels.
- 24,401 square feet of marina services building, including a 2,543 square foot casual restaurant, a 1,499 square foot ship store, a 1,100 square foot dock master's office, a 3,349 square foot boat broker's office, 9,065 square feet of office space for the marine industry, and a 6,845 square foot captain's lounge.
- The captain's lounge, which is intended to be an upscale facility for boat captains and crew, contains an amenity deck consisting of an outdoor patio and pool, meeting space, captain's quarters, a fitness area, and a barbecue area.
- 11,231 square-feet of quality waterfront restaurant with additional outdoor dining allowing residents and visitors to enjoy the views of the Intracoastal Waterway and mega-yachts.
- 2,266 square feet of ancillary buildings, including a sundry shop, trash facilities, restrooms and storage.

The Project includes two breezeways; one open to the sky between the two main buildings and one on the ground floor of the marina services building. These breezeways are intended to provide for natural breezes to flow through the development and to provide view corridors to the marina basin.

### **Prior Reviews**

The Development Review Committee (DRC) reviewed the proposal on April 10, 2018. The complete application and DRC record is available on file with the Department of Sustainable Development. The Marine Advisory Board reviewed the application on June 6, 2019 indicating general support for the project.

The Planning and Zoning Board (PZB) reviewed the project on June 19, 2019 and recommended approval by a vote of 6-2. The approval was subject to conditions which stipulated limiting the size of the quality restaurant to 375 seats, requesting that applicant work with city staff and Jackson Tower building regarding resolving Birch Road / Las Olas Circle design and access issue and widening each lane along Las Olas Circle an additional 2 to 3 feet in excess of the existing ten foot width of each lane, requesting a phasing plan during construction to minimize impacts on the boat show, and providing verification of total trips generated by the project prior to the City Commission meeting. Since the PZB meeting, the applicant has been in continued discussions with city staff and Jackson Tower representatives regarding a resolution and will be prepared to address these items at the July 9, 2019 City Commission meeting.

The associated development plans and corresponding project narratives are provided as Exhibit 1 and 2, respectively. The Staff Report and Draft PZB Meeting Minutes are attached as Exhibits 3 and 4, respectively.

### **Review Criteria**

The project meets the Planned Resort Development (PRD) zoning district requirements and limitations. The proposed restaurant building is 30 feet – 6 inches and the height of the marina services building is 43 feet, which is under the maximum district height of 200-feet. The maximum permitted district building length is 200 feet and the proposed maximum building length is 190 feet and 6 inches. The lot size is 4.81 acres where the minimum permitted is ten acres. The structures meet or exceed the district yard requirements and the applicant is not requesting relief from any requirements of the ULDR. The proposed uses are consistent with the Central Beach Community Redevelopment Area Plan, which promotes marine-related office uses, retail uses, and restaurant uses.

### **Conditional Use**

Per the ULDR Section 47-24.3, Conditional Use Permit Requirements the following criteria apply (applicant's responses to Conditional Use can be found starting on page 10 of Exhibit 2):

1. Impact on abutting properties as evaluated under the Neighborhood Compatibility Requirements of Section 47-25.3;

Refer to the Adequacy and Neighborhood Compatibility section of this report provided herein.

2. Access, traffic generation and road capacities; Consideration will be given to the design capacity of the adjacent roadways, the traffic generation characteristics of the proposed conditional use, including the type of vehicular traffic associated with such uses, and traffic generation characteristics of other uses permitted in particular zoning districts.

The applicant has provided a trip generation analysis and shared parking study conducted by Kimley-Horn and Associates, Inc., attached as Exhibit 6. The proposed development does not warrant further study as it generates less than 1,000 net new daily trips and less than 20% of the net new daily traffic is generated during the peak hours which is below the City of Fort Lauderdale traffic study requirements.

3. The applicant must show, and it must be found by the reviewing body that the following have been met:

- a. The location of the use or structure is not in conflict with the City's Comprehensive Plan;

The property is located in the Central Beach Regional Activity Center and is consistent with the Beach CRA Redevelopment Plan. The Beach CRA Redevelopment Plan contemplates the expansion of the Las Olas Marina and marine-related retail and office uses, and restaurant uses. Please refer to the Comprehensive Plan Consistency section herein for additional information.

- b. Off-site or on-site conditions exist which reduce any impact of permitting the use or structure;

Minimum 12-foot-wide sidewalks along Birch Road and minimum nine-foot-six-inch-wide sidewalks along Las Olas Circle are incorporated into the project design to help create a welcoming pedestrian environment throughout the site and complete the promenade connection to the Las Olas Circle at the new parking garage. Significant landscape and streetscape improvements, including shade trees are also proposed. Collectively, the site improvements will provide a quality public realm with access to a waterfront promenade and amenities, as well as enhance the surrounding area.

- c. On-site improvements have been incorporated into the site plan which minimizes any adverse impacts as a result of permitting the use or structure;

Minimum 12-foot-wide sidewalks along Birch Road and minimum nine-foot-six-inch-wide sidewalks along Las Olas Circle are incorporated into the project design to help create a welcoming pedestrian environment throughout the site. Significant landscape and streetscape improvements, including shade trees are also proposed. Collectively, the site improvements will provide a quality public realm with access to a waterfront promenade and amenities, as well as enhance the surrounding area.

- d. The location of the use in proximity to a similar use does not impact the character of the zoning district in which the use is located;

The expansion of the Las Olas Marina is contemplated in the Beach CRA Redevelopment Plan, and the proposed project includes uses that further goals of the plan and the underlying land use and zoning district. The proposed project will not have an adverse impact on the character of the PRD zoning district.

- e. There are no adverse impacts of the use which affect the health, safety and welfare of adjacent properties.

Adverse impacts on the health, safety, or welfare of adjacent properties have not been identified through the technical review of the application.

### **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. Water and wastewater is serviced by the City of Fort Lauderdale. A Water/Wastewater Capacity Letter, attached as Exhibit 5, 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 will be required to coordinate with the City's Public Works Department regarding the relocation/replacement of Lift Station PS-31.

The neighborhood compatibility criteria of ULDR Section 47-25.3 include performance standards requiring all developments to be "compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, and alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts".

The properties to the south and east of the site are zoned PRD, the same zoning district as the subject property. To the west is the Intracoastal Waterway. To the north is the Intracoastal Overlook Area zoning district. The height of the Las Olas Corridor garage is four levels. The marina services building is three stories high and the restaurant is two stories, significantly lower in height and scale from adjacent multi-family buildings, which generally range from six to thirty stories.

Facing the water, both proposed buildings on-site employ significant use of glass for nearly the entire length and width of the structures, creating active uses on all floors of the buildings and activating the pedestrian environment. To allow for the passage of natural breezes and maximum views to the marina basin from Las Olas Circle, the project includes a breezeway on the first floor of the marina services building and a 20-foot-wide separation between the two buildings. A swimming pool and covered amenity area for marina users is proposed on the roof of the marina services building. To accommodate pedestrian activity and provide an aesthetically pleasing view from neighboring buildings, a public promenade around the site and along the Intracoastal Waterway, is proposed as envisioned in the Beach CRA Redevelopment Plan. In combination with the proposed pedestrian circulation network surrounding the site, being implemented as part of the Las Olas Corridor Improvements, the additional improvements proposed as part of the project will complete and welcome public access to the Intracoastal Waterway as a desirable destination for the community and visitors.

For more information please refer to the applicant's responses to Adequacy starting on Page 1 of Exhibit 2 and Neighborhood Compatibility starting on Page 12 of Exhibit 2.

**Parking and Transportation:**

Vehicular ingress and egress from Las Olas Boulevard and Birch Road is provided by Las Olas Circle. The applicant has provided a trip generation analysis and shared parking study conducted by Kimley-Horn and Associates, Inc., attached as Exhibit 3 and starting on Page 59, and also attached separately as Exhibit 6. The proposed development does not warrant further study as it generates less than 1,000 net new daily trips and less than 20% of the net new daily traffic is generated during the peak hours which is below the City of Fort Lauderdale traffic study requirements.

The location and improvements allow for multi-modal transportation to and from the project. Boaters and non-boaters will be able to utilize the new City parking garage. For those using public transportation, the project will be served by Broward County Transit bus routes 11 and 40 on State Road A1A. The Project is also served by both the Las Olas Link and the Beach Link Sun Trolley routes.

As per ULDR, Section 47-20, Parking and Loading Requirements, 178 parking spaces are required for the proposed project, as follows:

Table 1 – Parking Table

Use	Required	Provided	
Office Quality Restaurant Marina	178*	On-Site	Off-Site
		23	155

\*Based on shared parking analysis by Kimley-Horn and Associates, Inc., per the methodology contained in the Urban Land Institute (ULI) Shared Parking, 2nd Edition.

The applicant is proposing to provide 23 parking spaces on-site. A crosswalk on Las Olas Circle will provide pedestrian access between the Las Olas parking garage, where the 155 off-site spaces are proposed to be located.

**Comprehensive Plan Consistency**

The City's Future Land Use Map indicates that the proposed project is located in the Central Beach Regional Activity Center land use designation. The use and density are consistent with this designation. Per the Comprehensive Plan, development in the Central Beach Regional Activity Center is restricted to no more than 3,220 peak hour vehicular trips. The proposed project will generate 59 net new P.M. peak hour trips. Including previously approved projects there are 180 remaining trips. Should all pending projects move forward with their current trip counts as submitted to the DRC there would be approximately 98 trips remaining. It should be noted this pending number can change as projects move through the DRC process and corrections are made regarding uses and trip generation rates.

The proposed use is also consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.24, Marine Resources, Policy 1.24.2: which encourages design criteria and development standards for marinas and boat yards, as a method to protect and enhance water quality as well as the aesthetic and recreational value of the City's waterways.

### **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 **Public Places Cylinder of Excellence**, specifically advancing:

- **Goal 3:** Be a community that finds opportunities and leverages partnerships to create unique, inviting, and connected gathering places that highlight our beaches, waterways, urban areas, and parks.
- **Objective 1:** Improve access to and enjoyment of our beach, Riverwalk, waterways, parks, and open spaces for everyone.
- **Strategic Initiative 3:** Enhance and expand pedestrian and bike-friendly connections and amenities.

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

### **Conditions of Approval**

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

#### **Recommended Staff Conditions:**

1. Prior to issuance of Final DRC approval, applicant shall:
  - a. Obtain City Commission approval of associated Utility Easement Vacation (DRC Case #E19003);
  - b. Provide a signed and sealed boundary and topographic survey based on a Standard Title Commitment issued by a title insurer licensed to do business in Florida or an Opinion of Title issued by an attorney admitted to the Florida Bar;
  - c. Revise civil and landscape plans to mitigate conflicts between proposed trees and proposed sewer infrastructure. A minimum 5 feet and 10 feet horizontal clearance/separation is typically required between City utility infrastructure and proposed small and large trees, respectively (including existing water and sewer services to the development);
2. Prior to City Commission review, applicant shall revise plans to show/label updated South Birch Road and Cortez Street intersection layout;
3. In coordination with any necessary demolition permits, applicant shall:

- a. Perform a Cultural Resource Assessment Survey (also known as a Phase I Archaeological Survey) of the property. The survey should consist of systematic and judgmental subsurface testing including shovel test pits (STP) and/or limited use of mechanical equipment to strip surface asphalt and facilitate archaeological shovel testing; trenching as needed. The applicant is encouraged to contact the Historic Preservation Board Liaison and City Archaeological Consultant to determine the final survey methodology prior to commencing archaeological work. The Cultural Resource Assessment Survey must be submitted prior to Building Permit application. If any further testing is recommended by the archaeologist, it must also be completed prior to Building Permit application.
4. Prior to Building Permit application, applicant shall:
  - a. Seek approval for South Birch Road and Poinsettia Street stop-controlled intersection (i.e. stop signs, stop bars, striped crosswalks, curb ramps, etc.), for enhanced pedestrian safety and connectivity;
  - b. Coordinate with the City's Public Works Department regarding the relocation/replacement of Lift Station PS-31;
  - c. Coordinate with the City on lease agreement mechanism and entity responsible for maintenance agreement with the City for property frontage along S. Birch Road. Proposed improvements within adjacent City right-of-way include asphalt on-street parallel parking stall and driveway paving, concrete curb & gutter, curb, and valley gutters, landscaping including structural soil, irrigation, pedestrian lighting, and site furnishings. Maintenance agreement shall be recorded prior to issuance of Final C.O.
5. Prior to Certificate of Occupancy, applicant shall:
  - a. Submit a final archaeological survey report to the Historic Preservation Board Liaison. The report should document study methodology, findings, and recommendations. All work shall conform to the standards for archaeological investigation and reporting established in Chapter 1A-46 of the Florida Administrative Code and follow procedures outlined in the Florida Division of Historical Resource Cultural Resource Standards and Operations Manual Module Three as it pertains to conducting archaeological field investigations, laboratory analysis, and study reporting. All work shall be conducted by a professional archaeologist who meets the Secretary of the Interior professional standards (36 CFR part 61 as amended). In the event that archaeological materials are discovered, then the archaeologist shall alert the Historic Preservation Board Liaison.

Recommended Planning and Zoning Board Conditions:

1. Limit the quality restaurant to 375 seats;
2. Applicant will have a phasing plan during construction to minimize impacts on the boat show;



3. Applicant will verify total trips generated by the site;
4. Applicant will work with city staff and Jackson Tower representatives to resolve the Birch Road / Las Olas Circle access issue and lane widening.
5. Applicant will work with the City regarding Las Olas Circle to provide an additional 2 to 3 feet in addition to the existing 10-foot wide lanes.

**Attachments**

Exhibit 1 – Site Plan

Exhibit 2 – Project Narratives

Exhibit 3 – June 19 PZB Staff Report

Exhibit 4 – Draft Minutes from the June 19, 2019 PZB Meeting

Exhibit 5 – Water and Wastewater Capacity Letter

Exhibit 6 – Trip Generation Analysis and Shared Parking Study

Exhibit 7 – Resolution of Approval

Exhibit 8 – Resolution of Denial

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