



AGENDA ITEM REQUEST FORM

Town Manager's Office

Bud Bentley

Department Submitting Request

Assistant Town Manager

REGULAR
COMMISSION MTG
Meeting Dates - 7:00 PM

DEADLINE TO
Town Clerk

ROUNDTABLE
MEETING
Meeting Dates - 7:00 PM

DEADLINE TO
Town Clerk

- June 28, 2011
- July 26, 2011

- June 10 (5:00 pm)
- July 15 (5:00 pm)

*Subject to Change

- June 14, 2011
- July 12, 2011

- June 3 (5:00 pm)
- July 1 (5:00 pm)

- | | | | |
|---------------------------------------|---|---------------------------------------|---|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Reports | <input type="checkbox"/> Consent | <input type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Quasi Judicial | <input type="checkbox"/> Old Business | <input checked="" type="checkbox"/> New Business |

SUBJECT TITLE: The Port Royale Development in Fort Lauderdale

EXPLANATION: In January 2011 we were informed of the redevelopment proposal for Port Royale, a condo project on the Intracoastal Waterway in Fort Lauderdale west of our Bel-Air neighborhood.

We received a June 13th request (**Exhibit 1**) from the Bel-Air Residents Civic Association asking the Town to become involved in the Fort Lauderdale development review process. We have learned, however, from the Fort Lauderdale planning staff that the downsized project (from the original plan) was approved by the City's Development Review Committee (DRC) as well as Planning and Zoning Board (vote 9-0) on June 15th. The city staff report and P&Z Board results are attached (**Exhibit 2 & 3**). Since the project is on a waterway, the Planning and Zoning approval is subject to a 30-day call-up period, which ends July 15, 2011. During the call-up period, any Fort Lauderdale Commissioner may request a public hearing be scheduled on the project by the Fort Lauderdale City Commission. It requires a positive vote by the Commission to schedule the public hearing.

We asked Cecelia Ward for a proposal to represent the Town and the neighborhood's interest if the project is "called-up" for review by the Fort Lauderdale City Commission. The \$1,500 proposal is attached (**Exhibit 4**).

RECOMMENDATION: Should the Commission want to pursue having the project called-up by the City of Fort Lauderdale Commission, the next step would be for an expression of that by the Commission and for a Commissioner to make that request directly to Fort Lauderdale Commissioners.

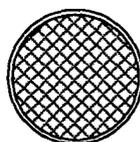
We recommend the Commission authorize securing the services of Cecelia Ward to represent the Town's and neighborhood's interests contingent on the project being called-up. No funds will be expended if the project is not called-up.

- EXHIBITS:**
1. City Planning and Zoning Staff Report
 2. Planning and Zoning Board result
 3. June 13th Letter from the Bel-Air Residents Civic Association
 4. Cecelia Ward's Proposal

FISCAL IMPACT: \$1,500, which can be charged to the Professional Services account in General Government Budget.

Reviewed by Town Attorney
 Yes No

Town Manager Initials CB



BEL-AIR

Residents' Civic Association, Inc.
www.bel-air.org

June 13, 2011

Mayor Roseann Minnet, Vice Mayor Stuart Dodd, Commissioner's Birute Ann Clotney, Scot Sasser and Chris Vincent:

At our last quarterly meeting, The Board of Directors for the Bel-Air Civic Association discussed the proposed project at the Port Royale property located just west of the Bel-Air neighborhood, and more specifically to the direct west of Blue Water Terrace South.

After much discussion on this project's impact, the Board of Directors feels the proposed high-rise tower complex will significantly impact our neighborhood and the property values of all Bel-Air residents.

After enduring approximately 36 months of construction noise, Bel-Air's view to the west will be overwhelmed with a 15 story high-rise apartment complex, two 8 story towers and multiple parking garages towering over the back yards of Bel-Air. Currently, our residents along Blue Water Terrace North enjoy the view of low-rise residential property. That Western view and landscape will be forever changed.

As officials representing the Bel-Air residents of Lauderdale by the Sea, we are asking for your assistance in protecting our property values and the resulting tax base we provide.

As always, we offer our assistance to all of you in any manner you feel necessary to rectify this to the satisfaction of all. We look forward to your response and comments.

Bel-Air Civic Association Board of Directors

David Saindon-President
Edmund Malkoon-Vice President
Shanna Koss-Secretary
Robert Shastany-Treasurer
Leland Owens-Director
Patrick Ucci-Director
Joseph Swick-Director
Mary Beth Burke-Director
Robert Herbert-Director

www.bel-air.org

City of Fort Lauderdale Planning and Zoning Board STAFF REPORT

Case # 23R11

June 15, 2011

Request:

Site Plan Level III Review / Waterway Use

The applicant proposes to construct four (4) separate buildings consisting of a total of *three hundred seventy-nine (379)* new multifamily units, including structured parking in two of the buildings, located on Port Royal Drive adjacent to the Intracoastal Waterway. The proposal includes a request for encroachment of a pool, pavers and seating area into the 20-foot landscape setback requirement along the waterway.

| | |
|------------------------------------|---|
| Applicant | EQR Port Royale Vistas, Inc. and ERP Operating Limited Partnership |
| General Location | 3219 S. Port Royale Drive |
| Property Size | 1,310,313.76 SF / 30.08 acres |
| Zoning | Residential High Rise Multifamily/High Density District (RMH-60) and Residential Multifamily Low Rise District (RML-25) |
| Existing Use | 737 Multi-family Units located within 25 buildings on the site. All buildings are 2, 3, or 4 stories in height. With surface parking. |
| Future Land Use Designation | High and Medium-High |
| Applicable ULDR Sections | 47-23.8 Waterway Use 47-25.2 Adequacy Requirements 47-25.3 Neighborhood Compatibility Requirements |

| | Required | Proposed |
|---------------------------|----------------------|---------------------|
| Lot Density RMM-25 | 25 units per acre | 0 |
| Lot Density RMH-60 | 60 units per acre | 41.4 per acre |
| Lot Size | 5,000 min | 30.08 acres |
| Lot Width | 50' min | 500' |
| Building Height | 150' max | 140' |
| Structure Length | 200' max | 200' |
| Minimum Floor Area | 400 SF / unit | 573 SF/unit |
| Landscape Area | 35% min (15,757 SF) | 48% |
| Parking | 1982 | 1060 |
| Setbacks/Yards | Required | Proposed |
| Front (N) | ½ height of building | See Site Data Table |
| Side (W) | ½ height of building | See Site Data Table |
| Side (E) | ½ height of building | See Site Data Table |
| Rear (S) | ½ height of building | See Site Data Table |

| | | |
|----------------------------------|---|--|
| Notification Requirements | Sign Notice 15 days prior to meeting | |
| Action Required | Approve, Approve with Conditions, or Deny | |
| Project Planner | Yvonne Redding, Planner II | |

Property/Project Description:

The applicant's proposal is to expand their current residential development by demolishing an existing clubhouse and seven residential buildings containing 184 units to construct two new residential buildings and two parking garages, one of which will contain residential as well. Building "A" is the tallest of the four proposed structures. It will contain 300 multi-family units and will be 15 stories in height. Building "B" will contain 199 multi-family units and will be 8 stories in height. Building "C" will also be 8 stories in height and will contain a combination of 56 multi-family units as well as 542 parking spaces. Building "D" is 7 ½ stories in height and will include 518 parking spaces as well as a tennis court on the roof deck to provide visual interest to the view corridor towards the waterway.

Prior Reviews:

The Development Review Committee reviewed an initial iteration of this proposal on January 25, 2011. In response to the DRC comments provided at that meeting, as well as comments from neighboring developments, the applicant has made some revisions to the initial site plan.

Waterway Use:

Pursuant to ULDR Section 47-23.8, *Waterway Use*, developments abutting waterways shall be designed to preserve the character of the neighborhood in which they are located, harmonize with other development in the area, and protect and enhance the scenic quality and tranquility of the waterways. This section also requires a twenty-foot (20') landscaped yard adjacent to the existing bulkhead line. The applicant has provided a narrative, included with the site plan and submittal material, to assist the Board in determining if the proposal meets the criteria for Waterway Use. The applicant is requesting to encroach into the 20' landscape yard with a pool, pavers and seating.

In addition, multifamily developments abutting waterways must meet the requirements of Section 47-25.3, *Neighborhood Compatibility, Scale, Bulk and Mass*, addressed in their narrative.

Adequacy and Neighborhood Compatibility:

Multifamily developments up to one hundred fifty feet (150') in height are permitted in the RMH-60 zoning district on parcels abutting a waterway, provided they meet the criteria outlined for waterway use and neighborhood compatibility and provide the required 20' setback from the waterway. The applicant has submitted narratives regarding the project's compliance with Section 47-25.3, *Adequacy Requirements*, and Section 47-25.3, *Neighborhood Compatibility Requirements*, also attached with the site plan and submittal material, to assist the Board in determining if the proposal meets these criteria. The development is surrounded by various developments. The existing tower to the north is a high-rise condominium building 20 stories in height. There is a grouping of two story apartment buildings to the south. The properties to the north and south of the site are zoned RML-25.

Parking and Circulation:

As per Section 47-20, *Parking and Loading Requirements*, 1,972 parking spaces are required for the proposed use. The applicant is proposing to provide 1,987 parking spaces, some of which will remain as the existing surface parking lots and the new spaces will be provided in the two parking garages proposed as part of this project. Residential Parking will be on the existing surface parking lots to remain, and partially concealed within the proposed garages. A new 5-foot sidewalk will be constructed along the length of the property and pedestrian entrances to the buildings are provided from the street. The entry drive leading up to the development will be treated with traffic calming devices and additional signage as requested by the Montego Bay resident association. The applicant is also providing public access through walkways to the marina area and the waterway.

Traffic Study:

A Traffic Impact Study by Cathy Sweetapple & Associates was conducted and a thorough report was given to and reviewed by The City's traffic consultant. The review of the study confirmed the findings however, a few additional conditions were added. An executive summary of the applicant's study is provided as Exhibit 2. A letter by the City's Traffic Consultant indicating conditions of approval at or before Final DRC is given is attached as part of the plans package is provided as Exhibit 3.

Comprehensive Plan Consistency:

The proposed development is consistent with the City's Comprehensive Plan in that the residential use and density proposed are allowed in the High and Medium High Residential land use category.

Planning & Zoning Board Review Options:

If the Planning and Zoning Board determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for site plan level III review, the Planning and Zoning Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development or use, the issuance of the site plan level III permit.

If the Planning and Zoning Board determines that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall deny the site plan level III permit.

RESULTS
CITY OF FORT LAUDERDALE
PLANNING AND ZONING BOARD MEETING

WEDNESDAY, June 15, 2011

PLACE OF MEETING: City Hall, City Commission Chambers
100 North Andrews Avenue
Fort Lauderdale, FL 33301

TIME OF MEETING: 6:30 P.M.

Pledge of Allegiance

Approve May 18, 2011 Minutes

1. **EQR-Port Royale Vistas, Inc.** **Yvonne Redding** **23R11**
- Request: **** **Site Plan Level III/ Waterway Use / Modification of 20' Landscape Yard Requirement / 379 Multi-Family Units / 1,060 Space Parking Facility**
- Legal Description:** BAR HARBOUR 79-16 B, Lots 5, 6 and 7
- Address:** 3217 South Port Royale Drive
- General Location:** East of US 1, South of McNab Road
- District:** 1

APPROVED 9-0 WITH THE FOLLOWING CONDITIONS:

1. **Reduce speed limit from 30 mph to 25 mph.**
2. **Construction activity and trucks must be managed; and the construction traffic shall be controlled to avoid peak times.**
3. **Project shall be kept on schedule to the best of Applicant's ability.**
4. **Project shall conform to all noise, dust, debris, fencing and construction equipment traffic regulations; and as to time restrictions as specified by the City of Fort Lauderdale.**
5. **These conditions shall be monitored and enforced at all times.**

(Engineering Conditions) Prior to final DRC approval, applicant shall:

1. **Coordinate with the Engineering and Planning Division to identify TSM and TDM measures to promote alternative modes of travel and to reduce project traffic during times of peak demand. These measures may include but are not be limited to:**
 1. **Phasing, timing and coordination measures to increase traffic capacity (TSM)**
 2. **Pedestrian and bicycle-friendly connectivity to other public sidewalks and transit stops**
 3. **Widen the existing walkway on the north side of Point Royale Boulevard**
 4. **A new walkway on the south side of Point Royale Boulevard between the development and Federal Highway**
 5. **New bicycle paths**
 6. **Trees and landscaping**
 7. **Safe and accessible bicycle facilities on site**
 8. **Educational programs for residents**
 9. **Traffic calming**

The applicant shall be responsible for making good faith efforts in identifying mitigation. The sufficiency of proposed improvements to mitigate traffic impacts shall be subject to the approval of the City Engineer, within reason. Feasibility of improvements shall be subject to availability of right-of-way.

2. Prior to Issuance of any Building Permit (including demolition) for the development, applicant shall:
 - Obtain a separate construction staging permit in accordance with the original DRC site plan review comments by the Engineering Division. The construction staging permit application shall propose mitigation measures to minimize construction impacts to adjacent residential areas and businesses and address items such as construction traffic, delivery times, noise control, dust control, glare/lighting control, debris and sediment control, potential impacts to underground utilities, construction personnel parking, staging of materials and safety of crane operations.
 - Provide a bond to the Engineering Division for the construction of any improvements in the right-of-way and/or for the implementation of any measures associated with the Traffic mitigation stated above.
3. Prior to issuance of a certificate of occupancy (C.O.) for the final residential building in the subject development program, applicant shall:
 - Retain a professional engineer to prepare optimized traffic signal phasing, timing and system coordination plans (identified in (1) – TSM measures, above) and coordinate with the City and Broward County Traffic Engineering Division to approve and implement
 - same. At the discretion of the City Engineer, the deadline to implement this condition may be extended for up to two years, based on the occupancy rate of the building(s). In that case, the applicant shall provide a bond to secure the implementation of improvements after C.O. is issued.
 - Implement any TDM measures identified in (1) above.
 - In association with the City Attorney's office and the Engineering Division, prepare and execute any maintenance agreements that may be required for improvements constructed in the public right-of-way

Applicants/Neighborhood Conditions

1. Recreational activities on the amenity deck which is to be installed on the roof of the south parking garage shall be limited to tennis, badminton, table tennis, bocce, croquet, lawn bowling, horseshoes, chess, checkers, board games and a putting green; and shall not continue beyond 10 P.M. Violations of this time restriction shall be enforceable as a code violation.
2. The owner shall, prior to issuance of a certificate of occupancy for the first building containing residential units, fund and cause the installation of 4 speed humps and associated signage on Port Royale boulevard west of the guard gate entry; provided that the installation of such speed humps is approved by the City Commission.
3. The owner shall, within 180 days following final approval of the site plan fund, design, fabricate and install directional signage on Port Royale Boulevard, west of Montego Bay, to assist motorists in distinguishing the entrance to Montego Bay from the entrance to Port Royale.

SUBJECT TO 30-DAY CITY COMMISSION REQUEST FOR REVIEW.

IMPORTANT: In order to comply with Sec. 47-26.A.2, *City Commission Request for Review*, the motion to set a hearing to review the application shall be considered within 30 days of the decision by the lower body. If no City Commission meeting is to be held within the time frames provided, the motion shall be considered at the next regularly scheduled City Commission meeting, which could take place on the following dates: June 21 and July 6, 2011. Please provide a statement of intent via e-mail, to Jonda K. Joseph, City Clerk, and copy Greg Brewton, Planning and Zoning Department Director if you would like to review the application.

**CECELIA WARD AICP
PRESIDENT
JC CONSULTING ENTERPRISES, INC.**

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JUNE 21, 2011

MS. CONNIE HOFFMANN
TOWN MANAGER

MR. BUD BENTLEY
ASSISTANT TOWN MANAGER

Lauderdale-By-The-Sea
954-776-3611 ex 7103
954-609-2444 cell
atm@lbtts-fl.gov

**RE: PROPOSAL FOR PROFESSIONAL PLANNING SERVICES
 ACT ON BEHALF OF THE TOWN RELATIVE TO THE PROPOSED PORT ROYALE REDEVELOPMENT IN FORT LAUDERDALE**

DEAR Ms. HOFFMANN AND MR. BENTLEY:

It is with great pleasure that I submit this letter, which sets forth the terms of engagement between JC CONSULTING, ENTERPRISES INC., ("CONSULTANT") and the Town of Lauderdale by the Sea ("Town") for the purposes as set forth herein.

SUMMARY OF SCOPE OF SERVICES

- Review City of Fort Lauderdale Comprehensive Plan and Land Development Regulations to identify applicable regulations to protect the Town and nearby residents from the proposed redevelopment of Port Royale in the City of Fort Lauderdale.
- Attend meetings between the Town and Fort Lauderdale Staff and City officials to help represent the Town's interests and present and negotiate measures to reduce any potential impact on the Town's residents.
- Attend Town and City of Fort Lauderdale public hearings related to the proposed Port Royale Redevelopment and make presentations on the Town's behalf.

FEES FOR SERVICES

It is our philosophy to provide the highest quality service at a reasonable cost.

We will bill at the rate of \$100 per hour Not to Exceed a total fee of **\$1,500.00**.

BILLINGS AND PAYMENTS

Our fee structure is based on the premise that, unless other arrangements are made, all statements are due and payable upon receipt. If payments are delayed beyond 30 days from the due date, CONSULTANT reserves the right to charge a late payment charge of 1.5% per month from until the date when paid.

While we do our best to ensure that our clients are satisfied with both our services and with the reasonableness of the fees charged, if you have any questions regarding a statement or regarding the basis for our fees, please feel free to raise such a question promptly.

Town of Lauderdale-By-The-Sea Proposal
June 21, 2011

OBJECTIVITY OF RECOMMENDATIONS

It is understood by the client that CONSULTANT can make no guarantees concerning the recommendations that result from the proposed assignment. To protect the client and ensure that the research results of our work will continue to be accepted as objective and impartial, it is understood that our fee for the undertaking of this project is in no way dependent upon specific conclusions reached.

If you have any questions regarding this proposal feel free to contact me.

Very truly yours,
Cecelia Ward

Cecelia Ward, AICP
President
JC CONSULTING ENTERPRISES, INC.

Accepted: _____ Date
Constance Hoffmann, Town Manager