City of Fort Lauderdale Planning and Zoning Board STAFF REPORT

Case No. 26-R-04 **June 16, 2004**

Applicant	Prestige Builders II, Inc./Seaside Villas	
Request	Site Plan Level III/Yard Modifications/Waterway Use	
Location	55 – 79 Isle of Venice Drive	
Legal Description	Lot 8 N 20', 9-12 Nurmi Isles Island No. 4, P.B. 24, P. 43	
Property Size	1.15 acres	
Zoning	RMM-25	
Existing Land Use	Existing Multifamily Buildings	
Future Land Use Designation	Residential Medium High	
Comprehensive Plan Consistency	Consistent with Future Land Use Element, Permitted Uses	
Other Required Approvals	Subject to 30 day request for review by City Commission	
Applicable ULDR Sections	Sec. 47-5.36, RMM-25 Dimensional Requirements, Sec. 47-23.8, Waterway Use, Sec. 47-23.11, Modification of Required Yards, Sec. 47-24.2.A.3.c, Site Plan Level III Review	
Setbacks/Yards	**Required**	**Proposed**
Front	25'	25'
Rear	½ Height of Building = 22'2"	15'
Side (South)	½ Height of Building = 22'2"	15'
Side (North)	½ Height of Building = 22'2"	15'
Lot Density	25 x 1.15 = 28 d.u. maximum	14 d.u.
Lot Size	5000 s.f. min.	50,0094 s.f.
Lot Width	50' min.	420'
Building Height	55' max.	44'4"
Structure Length	200' max.	80'
Floor Area	400 s.f. min. per unit	3,941 s.f. min.
VUA Landscaping	20% of VUA = 1,247 s.f	1,726 s.f.
Landscaping Lot Coverage	35%	35.3%
Open Space	N/A	N/A
Parking	2.1 spaces per unit 2.1 x 16 = 34	34
Notification Requirements	Sign notice 15 days prior to meeting date	
Action Required	Approve, Approve with conditions or Deny	
	Name and Title	**Initials**
Project Planner	Angela Csinsi, Planner II	
Authorized By	Chris Barton, AICP, RLA, Principal Planner	
Approved By	Bruce Chatterton, AICP, Planning and Zoning Services Manager	

Request:

The applicant proposes to build a 14-unit multifamily project on a 42' wide x 420' deep parcel on the Isle of Venice off East Las Olas Boulevard. The proposed project will require yard modifications to the side and rear yards as listed below.

Building (Located)	Required	Proposed	Modification Requested
Front	25'	25'	0'
Side (North)	½ Height of Building = 22'2"	15'	7'2"
Side (South)	½ Height of Building = 22'2"	15'	7'2"
Rear	½ Height of Building = 22'2"	20'	2'2"

Property/Project Description:

The project, to be known as Seaside Villas, consists of three multifamily buildings; two containing four (4) units each and one containing six (6) units for a total of 14 units. This is under the maximum of 28 units allowed in the RMM-25 district on a 1.15-acre site.

According to the applicant, the architecture will be a "stylized contemporary adaptation of pseudo Mediterranean design". Each of the multifamily units are approximately 3,600 s.f. to 3,800 s.f. in area and each will include a two-car enclosed garage. The front façade steps in and out approximately two feet to provide visual relief, projections and shadow lines. Balconies projecting from the façade will be surrounded with a filigreed metal railing. Gable roofs will be clad with barrel tile in a natural clay color. See attached architectural narrative for more detail. (**Exhibit 1**).

Parking and Traffic:

The parking requirements for multifamily are based on the number of bedrooms. Each unit has four (4) bedrooms and a great room, therefore 2.1 spaces are required for each unit. The applicant has provided the minimum number of parking spaces. Residents will back out into Isle of Venice Drive as they do today. The existing sidewalk, which is under 5 feet in width, will be removed and replaced with a standard 5 foot wide sidewalk. The driveways will be designed with paver blocks.

Adequacy and Neighborhood Compatibility:

The *applicant states* that they meet the Adequacy Requirements as follows: "*The existing properties, which will become Seaside Villas, have a combined total of thirty (30) residential units. The proposal for Seaside Villas contains only sixteen (16) residential units or fourteen (14) less than the existing and thirteen (13) less than what could be replaced under current zoning of RMM-25. We would, therefore, believe that Seaside Villas would be substantially less intensive related to items listed under Adequacy Requirements Section 47-25.2 of the Code*."

The *applicant also states* that they believe Neighborhood Compatibility Requirements have been achieved. They state: "*The existing Isle of Venice street is a mixture of low and medium density motels and apartments dating back to the 1950s and 1960s. There is presently no noteworthy architectural character to the neighborhood and a lack of planning is apparent. The streetscape is cluttered with back-out parking and a lack of pedestrian sidewalks*."

"*Seaside Villas will be a 16-unit multifamily development whose architectural character will be Mediterranean in style is consistent with much of the character of the rebuilt neighborhood. At three stories in height plus roof area, it will be no higher than the vast majority of existing developments and lower than the majority of planned new developments. Side yard setbacks of 15 feet exceed the required 10 feet. The development at 16 units is less than allowed under current zoning*."

The neighborhood is characterized by two, three and four story multifamily buildings located off of East Las Olas Blvd. Each building's rear façade faces a canal and a majority of the properties dock their boats along the canal. Isle of Venice properties, along with Hendricks Isle, are unique in that watercraft may extend beyond their side setback lines as per ULDR Sec. 47-19.3.G. These properties on Isle of Venice are zoned RMM-25 and are intended for multifamily use. The isles to the east are all zoned RS-4.4 (Single-family/low density) and are intended for single-family uses only. This rear façade of this project will be across from Hendricks Isle, which is also zoned RMM-25.

The Board is to determine if the proposal meets the criteria for Neighborhood Compatibility.

Yard Modifications:

The *applicant states* that the criteria for modification of yards have been met.

3. By adjustment of yards it is found that:

…

c. There is continuity of architectural features with adjacent properties. Architectural features include but are not limited to those listed in subsection A.3.e; and

The development's elevations are varied and contain a major use of balconies. A major use of arches, precast decorative columns, arcades, courtyards, variation in rooflines and material banding provide an aesthetically pleasing exterior. These elements are found in adjacent buildings to the north and south of the site.

d. There is continuity of urban scale with adjacent properties. Urban scale includes height, proximity to street front and relationship of building size to the lot size;

Adjacent properties range in size from two to four stories. Buildings are located between 20 and 25 feet from the front property line and are between 10 and 15 feet apart from each other.

e. In addition to the reduction in minimum yards meeting subsections A.3.a and b or subsections A.3.c and d, the development includes a minimum of four (4) of the following architectural features: Terracing; variation in rooflines; cantilevering; angling; balconies; arcades; uniform cornice heights; color and material banding; building mass changes; courtyards; plazas and landscaped areas which encourage pedestrian interaction between the development site and a public street.

As stated above, the proposed buildings will contain arches, precast decorative columns, arcades, courtyards, variation in rooflines and material banding.

4. In addition to subsection A.1, 2, or 3 the following shall be met:

a. The applicable minimums pertaining to all other zoning requirements applicable to the development are met.

All other minimum zoning requirements have been met.

b. A structure with a required yard proposed to be modified that is located on a development site abutting or separated only by a right-of-way from the Intracoastal Waterway or other permanent public open space, land or water shall not cast a shadow that exceeds fifty percent (50%) of such public water or land area at any time between the hours of 9:00 a.m. and 5:00 p.m. on March 21 (vernal equinox). For sites along the Atlantic Ocean, the public area subject to review shall be the sandy beach westward of the mean high water line as defined in Section 47-2, Measurements. The public open space, land or water as described in this section shall be measured by extending a line from the points where the property lines intersect at the corners of the development site abutting the public area or separated from the area by a right-of-way, and extending those lines across the public area perpendicular to the development site.

The proposed buildings will not cast a shadow that exceeds 50% of the Intracoastal Waterway.

c. That the intent and spirit of the dimensional regulations, of the applicable district concerning yards as relating to air, light and shadow is maintained.

Seaside Villas exceeds the required 10-foot side yard setback and equals the required setbacks for the front yard and rear yard (waterway). A side yard modification is required to construct residential units that are compatible with recent trends in the area. These trends are upscale residential developments, which cater to the residents desiring a place to live, which will accommodate large vessels. The slight modification

requested will be largely undetectable in that the majority of this is set back from the buildings façade. The use of this design is greatly lower in scale than the allowed 55' – 65" allowable limits in the code and has substantially less density that that allowed by zoning.

The Board is to determine if the proposal meets the criteria for Modification of Yards.

Waterway Use

A use on a waterway shall, in addition to all other requirements of the ULDR, meet the requirements as follows (*applicant response in italics*):

1. A twenty (20) foot landscaped yard is required adjacent to the existing bulkhead line. The required twenty (20) foot yard shall not be used or developed for any purpose other than landscaping and the minimum amount of driveways or walkways reasonably necessary to serve permitted nonresidential or multifamily waterfront uses, unless specifically approved by the planning and zoning board. The twenty (20) foot yard shall not apply to marinas or yacht clubs.

   The proposed rear yard is 20' which conforms to the above minimum. No pools are proposed in this landscaped area.

2. Review of Neighborhood Compatibility, Scale, Bulk and Mass, as provided in Sec. 47-25.3.A.3.e.i.

   See above. Seaside Villas has been designed to harmonize with the adjacent waterway canal. Setbacks have been adhered to and the building elevations have been treated to provide an exciting visual context. A variety of balcony treatments will vary this elevation and provide excitement along the waterway.

Comprehensive Plan Consistency:

The proposed use is consistent with the allowable uses listed in the Future Land Use Element, Residential Uses.

Staff Determination:

Staff has determined that this application meets the minimum standards listed above. One concern is with continuity of urban scale with surrounding buildings. The proposed building is four stories while existing buildings are generally two and three stories. One building directly across the street is four stories. The maximum height allowed in the RMM-25 zoning district is 55 feet. The applicant is proposing a height that is 10'6" lower than the maximum, in order to be more consistent with existing buildings in the neighborhood.

Planning and Zoning Board Options:

1. 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, and issue the Site Plan Level III permit.

2. 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.

Should the Board approve the proposed development, the following conditions are proposed by staff:

1. A Construction Debris Mitigation Plan shall be submitted to include but not be limited to the requirements of the Construction Debris Mitigation Policy as attached, and as approved by the City's Building Official.

2. All construction will require approval from all pertinent environmental review agencies.

3. Site plan approval shall be valid as provided in ULDR Section 47-24.1.M.

4. Final DRC approval.

PZ26-R-04/6-16-04/AC

City of Fort Lauderdale
Building Services Division Construction Debris Mitigation Policy

Section 24-11 Construction Sites, of the City of Fort Lauderdale Code of Ordinances is for the purpose of controlling construction debris. In accordance with the Code, any property under construction is required to contain construction debris on the subject property site. In an effort to ensure that construction debris does not spillover onto adjacent sites, the Building Services Division will require the following mitigation measures as minimum conditions to prevent the spillover of construction debris onto adjacent properties. These measures are to be included in a Construction Debris Mitigation Plan, which will be submitted to the Building Official, prior to the issuance of a building permit for the subject project. Additional measures may be required to ensure compliance with the Code, as deemed necessary by the Building Official.

1. Extermination of the site and buildings prior to demolition. A certificate certifying that the site has been exterminated is required to obtain a demolition permit.
2. Wet demolition of existing buildings is required to minimize dust.
3. Install and maintain a 6' screening (wind blown) on all ground level perimeter site fencing to minimize dust and debris blowing out to surrounding buildings.
4. Adherence to all state and county regulations with regards to the handling of asbestos in existing buildings.
5. Provide for construction employee parking and construction staging areas, to be reviewed and approved by the City's Engineering Department, and as necessary the City's Zoning and Parking Divisions.
6. The Building Division will require measures to minimize the airborne concrete when pouring. Such measures may include, but are not limited to, use of a wet saw when cutting concrete, wind screens around saws on concrete work deck; wind screens on end of concrete pump hose, etc.
7. The Building Division will require measures to minimize airborne debris from all open floors, including but not limited to, a requirement that each floor undergoing construction activity be wrapped to control the spillover of concrete and dust onto adjacent properties.
8. Sweeping compound will be required to minimize dust when sweeping the open floors of the building.
9. Broom cleaning of adjacent streets and sidewalks is required on a daily basis.
10. A hot line telephone number for the subject property is required to address issues as they arise.

On site visits by City Building Inspectors and other building officials will occur, as needed, to ensure that the concerns of adjacent property owners regarding construction debris and noise are being properly and timely addressed. The costs incurred for such inspections will be borne by the applicant.