

March 31, 2008

City of Fort Lauderdale  
Planning and Zoning Dept.  
700 NW 19<sup>th</sup> Ave  
Fort Lauderdale, Florida 33311

Re: Proposed Value Place Development  
Riverland Road and 441  
DRC 143-R-07

Honorable Mayor and Commissioners,

At the March 19, 2008 meeting of the P&Z board, a proposed Plat for Value Place was reviewed. At this meeting the residents organized a presentation to the board in opposition to the Value Place Plat. The Plat was denied by the board unanimously because the applicant had not addressed a lot of their concerns. his letter is an attempt to put all of those comments and concerns into one document for your review prior to the Plat coming before you for your approval.

As far as the plat goes, below are a few issues that affect your approval of the plat.

Hotel vs. Apartment:

1. First, the applicant is asking for the approval of a 124 room hotel, when in fact the applicant does not meet the cities definition of a hotel.
  - a. Is this a hotel or an apartment?
    - i. Attached are several searches I did for “Value Place” and “Hotel”. As you can see, Value Place properties are advertised across the country on Sites such as Apartment Finders and Apartment Guide.
    - ii. Also attached is a job posting in Craig’s list looking for Hotel/Apartment or Apartment experience.
  - b. Attached is an interview with the founder of Value Place, Jack DeBoer, that gives you this information directly from the top (The New York Times, 9/26/06). Here are a few highlights from the article.
    - i. The articles states that housekeeping service is provided every 14 days.
    - ii. “Yeah, you make your own bed-or not,” Mr. DeBoer said.
    - iii. Each hotel is designed to operate with equivalent of 4-5 full time employees, compared with 17 to 20 at midlevel extended stay hotels
    - iv. Rooms are rented only by the week.
    - v. “As a generality, our competition is a 50 year old motel with exterior entrances and two cars with at least one flat tire each in the parking lot,” DeBoer said.
  - c. Also attached are a couple of press release on Hotel Online where Value Place is described as a “Short-Term Residential Property”, Hotel-

- apartment hybrid, offering affordable stays for a week or longer, and described as apartment style lodging.
- d. Gregg Brewton issued an email to the developer on 12/5/07 stating that the city found that Value Place did not meet the City's definition of a hotel.
    - i. The applicant has submitted a letter to staff that states, in essence, "we promise to behave". There is nothing in the letter attached at the end of this document that would prove Value Place is a hotel instead of a monthly rental apartment. In fact, Value Place would have to change their entire corporate philosophy to meet the definition, specifically that they are available for daily rental and that they provide daily cleaning to the rooms. If you look at their website, they provide weekly rates and room cleaning every two weeks.
  - e. If Value Place intends to operate this one facility contrary to their Corporate philosophy, who enforces this and what prevents them to going right back to their bread and butter once approved?
  - f. Why are we even looking at the plat at this time if they are platting for an unapproved and undesirable use?

#### Neighborhood Compatibility and Traffic:

2. The level of development that Value Place is asking you to approve far exceeds the capacity of Riverland Road and is grossly out of scale with the surrounding neighborhood.
  - a. 124 rooms, at 4 stories and almost 50' tall would dwarf the surrounding single story single family homes that are only 12-15' high.
  - b. By approving 124 rooms on this site you are basically approving a 4 story building because there is no way to put this number of rooms on the site, with required parking and landscaping without going up 4 stories.
  - c. When the site plan for the U-Store-It to the South was approved the City Commission and review boards imposed hours of operations on the Storage facility and limited it's height to a single story. The facility is not allowed to operate at night and was forced to meet neighborhood compatibility. How is that we are now about to allow a 124 room hotel of 4 stories that will operate 24 hours a day with little or no night time supervision.
  - d. If you look at Value Place's standard operating hours they are only open 9-6, M-F, 10-2 on Saturday and closed all day Sunday. Basically the office is in operation during the times that their so called target guests are away at work and closed when the residents will need assistance the most. Is this compatible with a residential neighborhood?
  - e. 124 rooms and the traffic it would generate on Riverland Road will suffocate an already choking Riverland Road.
  - f. According to Value Place's own traffic study Riverland Road is already over capacity by 31% if it is LOS D (or 4% if it is LOS E, and LOS E is

considered over capacity)... and that this does not take into consideration the development of the balance of the property.

- g. Riverland Road should be evaluated as an “other signalized road” and not as a major city county road as Value Places’ traffic study does.

- i. – LOS Letter

**From:** Delrio, Roger

**To:** 'modernarc'

**Sent:** Thursday, February 28, 2008 4:18 PM

**Subject:** RE: BC Roadway Level of Service Analysis

Good afternoon,

The following web site will direct you to a pdf document that contains information regarding the Annual Average Daily Volumes for Florida’s Urbanized Areas:

<http://www.dot.state.fl.us/planning/systems/sm/los/pdfs/QLOS2002.pdf>

On Page 85 of the document on the lower left side shows the Daily LOS “D” capacity of an Other Signalized Roadway as 10,000 for a two-lane undivided roadway and 21,700 for a four-lane divided roadway. The 2006 AADT for Riverland Road is 12,422 vpd or operating at a LOS “E.” The current LOS Map will be updated to reflect Riverland Road as an over capacity roadway or LOS “E” instead of LOS “D.”

If you have any further questions please free to call me or Ossama al Aschkar at (954) 357-6653.

Roger Del Rio, Executive Director  
Broward Metropolitan Planning Organization  
115 S. Andrews Avenue, Room 329H  
Fort Lauderdale, Fl. 33301  
(954) 357-6663  
rdelrio@broward.org

- ii. Riverland Road Classification letter:

----- Original Message -----

From: Delrio, Roger <<mailto:RDELRIO@broward.org>>

To: ModernArc@Bellsouth.net

Cc: Alaschkar, Ossama <<mailto:OALASCHKAR@broward.org>> ;

Kulikowski, Lina <<mailto:LKULIKOWSKI@broward.org>>

Sent: Tuesday, January 08, 2008 5:00 PM

Subject: FW: BC Roadway Level of Service Analysis

Good afternoon Mr. Di Stefano;

This is in response to your fax dated January 7, 2008 regarding your request for a review of the functional classification of Riverland Road as a Mayor City/County Collector. The Broward County Roadway Level of Service Analysis was developed by the Broward Metropolitan Planning Organization (MPO) staff as a planning tool for planning purposes and is not intended nor do we recommend using this information in traffic studies. The capacity estimate in that report, were driven from the default capacity tables in the Florida Department of Transportation (FDOT) Quality of Service Handbook, which recommends different techniques to estimate roadway capacities for traffic studies.

As you suggested, the default capacity for Riverland Rd between Peters Rd and SR-7 will be re-evaluated to reflect the capacity of Other Signalized Roadways. However, for traffic studies we strongly suggest using one of the techniques recommended in the FDOT Quality of Service Handbook.

Should you have further questions please call me at 954-357-6663 or Ossama Al Aschkar at 954-357-6653.

Roger Del Rio, Executive Director  
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- h. Why are we looking to approve a development that does not meet any portion of the cities neighborhood compatibility regulations and would add traffic to a road that is already over capacity?
- i. Does the traffic study explore the impact on the right turn lane from 441 north to Riverland Road. At peak times, this turn lane is often backed up onto the 595 off ramp.
- j. This turn lane should be extended and curbed to prevent the roadside vendors from clogging up traffic as they do almost every afternoon.
- k. The traffic study mentions that they estimate the traffic generated on Riverland Road to be 95% to the West/North and only 5% to the East. What will the residents do when the need to go to and from Interstate 95. Of course they are going to take Riverland Road to avoid traffic on 441 and Davie Boulevard. This would put a much higher percentage of traffic directly through our residential neighborhood.

Access and Circulation:

- 3. How can we look at a plat and site plan for a tiny portion of an overall site? This site must provide access to two additional parcels of almost 3.5 acres. How can

this be reviewed without fully understanding what is going to go on those sites and how access is to be granted?

- a. We know the developers are saying that they are providing cross access to the site to the north, but what is the anticipated traffic through the site?
  - i. What is the use of the sites to the north?
  - ii. What is the level of development of the sites to the north?
- b. Since all three parcels are being accessed through the FDOT spur road, the entire site should be platted to provide proper access to and from Riverland Road and to assess the impact of the traffic generated by all future developments. The applicant has even admitted that the existing platted easement to the North parcel will not be allowed by DOT. Will there be any ingress allowed to the site other than the spur Road.
- c. Currently the site plan is providing a driveway with parking spaces backing into it as the means of egress from both sites. This creates a dangerous situation and would not accommodate even a small development to the north. There should be an access road, not a driveway as the developer has proposed, that extends through the sites parallel with Riverland road. This should be in the form of a 24' access easement running from the spur road thru all three sites.
- d. The developer is saying that the properties to the North are under separate ownership and they don't know the plans for them when in fact, Sovereign Development, the applicant is the owner of all the vacant parcels.
- e. Sovereign Development is now submitting a Plat for the North Portion of the site, 11-P-08. Why aren't these tied together?
  - i. The developer doesn't want to trigger a larger traffic study and is piece mailing the submittals.
  - ii. Access through the sites would be far more restrictive if you looked at the site as a whole.
  - iii. The level of development on the entire site would put Riverland Road as much as 40% over capacity.
  - iv.

#### Zoning of Property:

We know that the property is currently zoned B-2. This would be the correct zoning is the property was still access off of 441. Back when FDOT was doing their taking for the realigned Riverland Road, they paid the owner, Robert Uchin, for the property that ultimately became ROW and for "Damaged Remainers". This was due to the fact that the property was less valuable because of the loss of access. At this time, FDOT should have required the property be rezoned or put some restrictions on the property. If you look at the deed that recorded the sale of the property from Mr. Uchin to the subsequent owner, it states that the "subject to taxes for year of closing and subsequent years; zoning and/ or restrictions and prohibitions imposed by governmental authority; matters which, in Grantee's opinion, does not adversely affect his ability to develop a commercial development on the property"

This language disappeared in the subsequent purchase of the property by Sovereign, but should have been a known restriction. This site is not as valuable and not able to support the level of development they are attempting due to the limited access.

Environmental Assessment:

Value Place's Environmental Engineer stated that he did not witness any protected wildlife on the site during his brief site visits at the beginning of December. Residents asked if this was before or after the owner bulldozed the site, covering up everything on the site with the exception of the larger trees? The experts never answered this question only stating that the site had been vacant for years. If you look at the two attached aerials from The Broward County Property Appraiser's website showing the site in January 2007 and January 200, they show the site cleared of all low brush and the sand dunes leveled out. This occurred sometime around October-November 2007, well before the environmental assessment.

We contacted the City and there have been no permits pulled on any of the 4 sites. Broward County Environmental department never issued a permit or received a wetlands determination on the site prior to this bulldozing.

Developer Credibility:

Stated that this was not a subdivision of property, that the parcel was previously divided. BCPA show that this is a portion of parcel 504218000235,

We hope you see that this development has many issues that not addressed by this plat. We are asking you to deny the plat because the applicant is not proposing an allowed use, the level of development far exceeds the capacity and scale of the surrounding streets and neighborhood and because the full impact of the vacant parcels cannot be evaluated unless the entire parcel is platted at one time.