



# DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

**MEETING DATE:** August 14, 2018

**APPLICANT:** Edkar Investments, Incorporated

**PROJECT NAME:** Cannabis Education Center

**CASE NUMBER:** R18051

**REQUEST:** Site Plan Level III Review: Conditional Use for Medical Cannabis Dispensing Facility and Parking Reduction

**LOCATION:** 4500 N Federal Highway

**ZONING:** Boulevard Business (B-1)

**LAND USE:** Commercial

**CASE PLANNER:** Karlanne Grant



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**CASE COMMENTS:**

Please indicate code provisions for the change of use compliant to the 6<sup>th</sup> Edition of the Florida Building Code.

**GENERAL COMMENTS**

The following comments are for informational purposes.

Please consider the following prior to submittal for Final DRC:

1. The Florida Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.
2. All projects must consider safeguards during the construction process. Florida Building Code Chapter 33 delineates various safeguards that may apply during the construction phase. All structures associated with the protection of pedestrians will require a separate permit. A licensed professional must sign and seal the plans and specifications.
3. The City of Fort Lauderdale is a participating municipality in the National Flood Insurance Program (NFIP). The requirements specific to the City of Fort Lauderdale can be found in

**Chapter 14 - FLOODPLAIN MANAGEMENT of the Code of Ordinances** and accessed at:

a. [https://www.municode.com/library/fl/fort\\_lauderdale/codes/code\\_of\\_ordinances?nodeId=COOR\\_CH14FLMA](https://www.municode.com/library/fl/fort_lauderdale/codes/code_of_ordinances?nodeId=COOR_CH14FLMA)

**Please consider the following prior to submittal for Building Permit:**

1. On January 1<sup>st</sup>, 2018 the 6<sup>th</sup> Edition of the Florida Building Code was adopted. All work described in Section 101.2, of the Broward County Administrative portion of the Florida Building Code, will govern the administration and enforcement of the proposed work. Each building and or structure will require a separate permit. The following websites will assist in the design considerations:
  - a. <http://www.fortlauderdale.gov/departments/sustainable-development/building-services>
  - b. [https://floridabuilding.org/bc/bc\\_default.aspx](https://floridabuilding.org/bc/bc_default.aspx)
  - c. <http://www.broward.org/codeappeals/pages/default.aspx>

**General Guidelines Checklist is available upon request.**



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**CASE COMMENTS:**

**Prior to Planning and Zoning Board Meeting sign-off, please provide updated plans and written response to the following review comments:**

1. 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. The title commitment or Opinion of Title must have an effective date no more than thirty days prior to the date of submittal of the survey and must be certified to the City of Fort Lauderdale.
2. Dimension parking areas including drive aisle widths, and typical parking stall width/depth. Including but not limited to the existing back out parking adjacent to NE 45<sup>th</sup> Street. All dimensions shall be in accordance with ULDR section 47-20.11.
3. Previously approved site plan indicated both driveway approaches off N Federal Hwy are one way only (entry only on southern driveway and exit only on northern). Site plan indicates both driveway approaches are used as entry/ exit. Discuss adequacy of site circulation.
4. Discuss existing dumpster enclosure access requirements with case planner and waste management. Survey depicts enclosure in conflict with adjacent angle parking stall '16' and parking stall '15' does not have enough back out space. Dumpster location should be adjusted and/or eliminate parking stalls accordingly.
5. Discuss how the existing back out parking adjacent to NE 45th Street (proposed to remain) meets ULDR Sec. 47-20.15.5 requirements.
6. Discuss whether or not existing site parking pavement is proposed to be resurfaced/ re-striped.
7. Confirm existing water and sewer connections and drainage facilities are adequate for proposed use and no site improvements are proposed other than landscape.
8. Show all existing utilities on landscaping plans for potential conflict, especially 8 inch water main along east side of N Federal Hwy (per City GIS Maps).
9. Ensure all plans have been coordinated between disciplines and depict the latest site layout.
10. Please be advised that within adjacent City Right-of-Way, staging/storage will not be allowed, construction fence shall not encroach within intersection corner sight triangles, construction fence gates shall not swing into the public Right-of-Way, and any Jib Crane radius shall not extend beyond private property boundaries. Any City Right-of-Way closure over 72 hours requires a Revocable License Agreement, processed by Property Right-Of-Way Committee (DRC) and approved by the City's Commission, prior to Right-of-Way permit issuance by the Department of Sustainable Development for Maintenance of Traffic.

Prior to submitting Administrative Review (i.e. DRC Level I) application to request Revocable License Agreement, please contact Dennis Girisgen at 954-828-5123 or [dgrisgen@fortlauderdale.gov](mailto:dgrisgen@fortlauderdale.gov) to discuss proposed scope of closure within City Right-of-Way.



11. Please be advised if any improvements are proposed within the adjacent public Right-of-Way (adjacent to the proposed development), including asphalt and other specialty paving, concrete and other specialty sidewalk, landscaping, irrigation, lighting, etc. it will be maintained by the Applicant throughout the life of the improvements. If applicable provide Maintenance Agreement Area Exhibit, which provides a visual representation of the area to be maintained in perpetuity by the developer. Label whether the adjacent Right-of-Way is FDOT, BCHCED, or City jurisdiction.
12. Please be advised that prior to building permit issuance, capital expansion fees shall be paid for the proposed change of use, in accordance with City Ordinance C-05-21.
13. Please be advised all proposed improvements within or adjacent to the Florida Department of Transportation (FDOT), Broward County Highway Construction & Engineering Division (BCHCED), and City Right-of-Way are subject to issuance of a Right-of-Way permit from the authority having jurisdiction.
14. For Engineering General Advisory DRC Information, please visit our website at <https://www.fortlauderdale.gov/home/showdocument?id=30249>
15. Additional comments may be forthcoming at the DRC meeting.



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**CASE COMMENTS:**

Please provide a response to the following:

1. Provide official documentation of previously approved site plan and landscape plans including current site layout, back-out parking, and dumpster along 45<sup>th</sup> Street.
2. Provide VUA calculations for site, and illustrate how these requirements are being met on site.
3. Provide street trees on Federal Highway and 45<sup>th</sup> Street.
4. Provide ISA Certified Arborist report for trees on site.



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**CASE COMMENTS:**

Please provide a response to the following:

1. All exterior glazing should be impact resistant.
2. All entry / exit doors should be solid, impact resistant or metal.
3. All entry and exit doors should be equipped with a secondary locking system like door pins, deadbolts or other burglary prevention hardware.
4. Any restricted access door should be label as such and equipped with access control features including 180 degrees peepholes or viewports.
5. A Closed Circuit TV system capable of retrieving an identifiable image of an individual should be utilized focusing on the cash management areas, restricted areas, entry and exit points, Cannabis products storage room and parking lot area.
6. The business should be equipped with an intrusion alarm and a silent "Panic" alarm for police response. The alarm should have battery back-up and or cellular back-up features. Consideration should be given to providing portable "Panic" buttons on site.
7. Any safe should be bolted to the floor or affixed in a manner that prevents its removal.
8. There should be access control strategies to prevent public access to restricted areas. This could be addressed by doors or other physical barriers and appropriate signage.
9. All back doors to the site should be equipped with a 180 degree viewport or peephole that allows employees to identify individuals attempting to access the business.
10. The waste container enclosure should be access controlled to avoid unrestricted access issues.
11. All Cannabis products should be kept secured and inaccessible except when dispensing.
12. Any common walls between adjacent businesses should be reinforced to prevent a security breach through the adjoining walls.
13. All lighting and landscape should follow C.P.T.E.D. guidelines.

**General Comments**

It is highly recommended that the managing company make arrangements for private security during construction.

Please submit responses in writing prior to DRC sign off.



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**CASE COMMENTS:**

Please provide a response to the following:

1. Garbage, Recycling and Bulk Trash shall be provided.
2. Recycling reduces the amount of trash your business creates and it is the best way to reduce monthly waste disposal costs and improve your company's bottom line.
3. Solid Waste Services shall be provided by a Private Contractor licensed by the City.
4. Service Days shall be: No restriction for Commercial collection. Service may not occur earlier than 7:00 am or later than 10:00 pm within 250 feet of residential.
5. Solid Waste Collection shall be on private property container shall not be placed, stored or block the public street to perform service (large multifamily and commercial parcels).
6. Containers: must comply with 47-19.4
7. Dumpster enclosure: concrete pad, decorative block wall, gates hung independently, protective bollards, secondary pedestrian side entry, high strengthen apron and driveway approach, night light, hot water, hose bib, drain, low circulating ventilation for dampness, weep holes, landscaping, smooth surface walkway to accommodate wheeled containers.
8. Provide on the site plan a garbage truck turning radii for City review. Indicate how truck will circulate within property.
9. Submit a Solid Waste Management Plan on your letterhead containing name of project, address, DRC case number, number of units if applicable, and indicate whether it is Pre or Final DRC.
  - o This letter is to be approved and signed off by the Sustainability Division, and should be attached to your drawings. Please email an electronic copy to [smccutcheon@fortlauderdale.gov](mailto:smccutcheon@fortlauderdale.gov). Letter should include an analysis of the expected amounts of solid waste and recyclables that will be generated (if different from current capacity), and container requirements to meet proposed capacity.
  - o Community Inspections will reference this Solid Waste Plan for sanitation compliance issues at this location.

**General Comments**

The following comments are for informational purposes.

Please consider the following prior to submittal for Final DRC:

1. Refer to planning comments pertaining to the removal of two adjacent parking spaces.



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**CASE COMMENTS:**

1. Submit a parking reduction study. Take into consideration that the review of this study, once submitted, will take about 4-6 weeks.
2. Please show parking requirement for all the existing and proposed uses on the site.
3. If parking reduction study reveals only 9 spaces will be required, consider removing all the angled parking along NE 45<sup>th</sup> St and replace it with a 5 foot sidewalk and swale.
4. Place sidewalks against the ultimate right of way line.
5. All loading and unloading must be contained on site.
6. Show all sidewalks clear path dimensions on the site plan, including all pinch points on the site.
7. Bicycle parking is strongly encouraged, covered if possible, with a bike pump. Consult the APBP Bicycle Parking Guidelines and Broward County End-of-Trip Bicycle Facilities Guide. Provide the minimum long term and short term bicycle parking based on requirements in the guide and include total counts on the site plan data sheet.
8. Please consider enhancing the pedestrian experience by providing interactive public art works, seating, and shade along all sidewalks to promote multimodal travel.
9. Ensure all access points, sidewalks, walkways, and curb cuts are unobstructed and ADA accessible with appropriate slopes and detectible warning devices and indicate on the site plan.
10. Additional comments may be provided upon further review.
11. Signature required.

**GENERAL COMMENTS:**

Please address comments below where applicable.

1. Contact Benjamin Restrepo at 954-828-5216 or brestrepo@fortlauderdale.gov to set up an appointment for final plan approval.
2. The City's Transportation & Mobility Department encourages the use of sustainable materials such as permeable pavement and electric car charge stations and installation of multimodal facilities such as bicycle pump stations and bike lockers.
3. Please note that any work within the City's right-of-way will require an MOT approved by Transportation and Mobility and Engineering for permitting. Any full closures of roadways, alleys, or sidewalks that are over 72 hours will require a Revocable License Agreement (RLA) with the City of Fort Lauderdale.





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**CASE COMMENTS:**

Please provide a response to the following:

1. The applicant is strongly encouraged to contact neighbors adjacent to, as well as condominium and neighborhood associations located within three hundred feet (300') of the development site, to advise of this proposal (a listing of officially-recognized associations is provided on the City's website: [www.fortlauderdale.gov/neighbors/civic-associations](http://www.fortlauderdale.gov/neighbors/civic-associations) and a map of neighborhood associations may be found at: <http://gis.fortlauderdale.gov>). Please provide acknowledgement and/or documentation of any public outreach.
2. The site is designated Commercial on the City's Future Land Use Map. The proposed use is permitted in this designation. This is not a determination on consistency with Comprehensive Plan Goals, Objectives and Policies.
3. The proposed project requires review and approval by the Planning and Zoning Board (PZB). A separate application and fee is required for PZB submittal, and the applicant is responsible for all public notice requirements, pursuant to the Unified and Land Development Regulations (ULDR), Section 47-27. In addition, the development permit shall not take effect nor shall a building permit be issued until thirty (30) days after approval, and then only if no motion is adopted by the City Commission seeking to review the application.
4. Pursuant to Public Participation requirements of ULDR, Section 47-27.4.A.2.c., prior to submittal of the application to the PZB, a notice from the applicant via letter or e-mail shall be provided to official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of applicant's project presentation meeting to take place prior to the PZB meeting.

The applicant shall then conduct a public participation meeting(s) a minimum of 30 days prior to the PZB meeting. This date and location of the meeting is at the discretion of the applicant. Once the meeting(s) is conducted, the applicant shall provide a written report letter to the Department of Sustainable Development (DSD), with copy to subject association(s), documenting the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion after a public participation meeting(s). The report letter shall summarize the substance of comments expressed during the process and shall be made a part of the administrative case file record.

Accordingly, a minimum of ten (10) days prior to the PZB meeting, the applicant shall execute and submit an affidavit of proof of public notice to the Department. If the applicant fails to submit the affidavit, the public hearing will be postponed until the next available hearing date after the affidavit has been supplied.

5. The proposed project requires a parking reduction. A separate application and fee is required. Should the application for a parking reduction be approved, a parking reduction order must be executed and recorded in the public records of Broward County at the applicant's expense, prior to Final DRC approval



6. Responses to applicable ULDR criteria were submitted, however, please provide additional information to the following ULDR sections by providing a complete point-by-point narrative response, on letterhead, with date and author indicated.
  - a. Section 47-18.46.D.3, Medical Cannabis Dispensing Facility;
  - b. Section 47-20.3, Reduction and Exemptions;
  - c. Section 47-20.15.5, Backout Parking; and,
  - d. Section 47-25.3, Neighborhood Compatibility.
7. Provide information on how the distance from a school, daycare, park, and library were verified.
8. The narrative response to ULDR, Section 47-18.46.C.7, Medical Cannabis Dispensing Facility from the applicant states that applicant will install solar film over storefront glazing and black-out mylar coating to ensure that no marijuana plants, products, and paraphernalia (and depiction thereof) will be visible from a public sidewalk or public right-of way. Pursuant to Crime Prevention through Environmental Design ("CPTED") standards and natural surveillance via active building facades, remove the solar film over storefront glazing as wells as the black-out mylar coating. Place the marijuana plants, products, and paraphernalia in an area that is not visible from the sidewalk and right-of-way.
9. Provide the following information on Site Plan, sheet A-1:
  - a. Indicate the following information in the Data Table:
    - Required parking ratio for the proposed use;
    - Required parking counts based on gross square footage for all uses on site;
    - date of establishment and the approved parking requirement for each use;
    - How many parking spaces are being requested for the parking reduction;
    - Gross square footage the proposed use will occupy
  - b. Provide the Hours of Operation for the proposed Medical Cannabis Dispensing Facility; and,
  - c. Provide a note that refers to the sheet the Security Plan details are illustrated.
10. Pursuant to Section 47-19.4.F.3, Dumpsters, applicants shall be permitted to reduce in size up to twenty (20) existing parking spaces from the standard eight (8) feet, eight (8) inches width to eight (8) feet, six (6) inches in width, or reduce the total number of spaces required by one (1), if shown to be necessary to provide space for the enclosure, which determination shall be made by the director or designee. Remove the two (2) backout parking spaces (numbers 15 and 16 as indicated on the Site Plan) which are in conflict with the dumpster location.

Bulk containers shall be placed for collection purposes in a location easily accessible to authorized collection vehicles. Unless in a public right-of-way for purposes of collection only, all bulk containers shall be placed within an approved enclosure as set out in ULDR subsection 47-19.4 D, and at any time of day on the scheduled collection day containers may be placed in position for direct pickup by the authorized agency as provided in 47-19.4. Placement of containers and enclosures shall be planned and constructed in a manner that allows unobstructed access to each container and the unobstructed opening of the gates during the emptying process. Containers shall not be located in such a manner that the service vehicle will block any intersection during the emptying process. Coordinate with the Solid Waste and Recycling DRC representative, Stephanie McCutcheon (954-828-5054 or smccutcheon@fortlauderdale.gov) to discuss a Solid Waste Management Plan.
11. Consider replacing all backout spaces along NE 45<sup>th</sup> Street with on-street spaces to improve pedestrian safety and remove vehicular /pedestrian conflict areas, as well as to reduce traffic circulation impacts on the adjacent neighborhood. Incorporate the impacts in the parking reduction request.

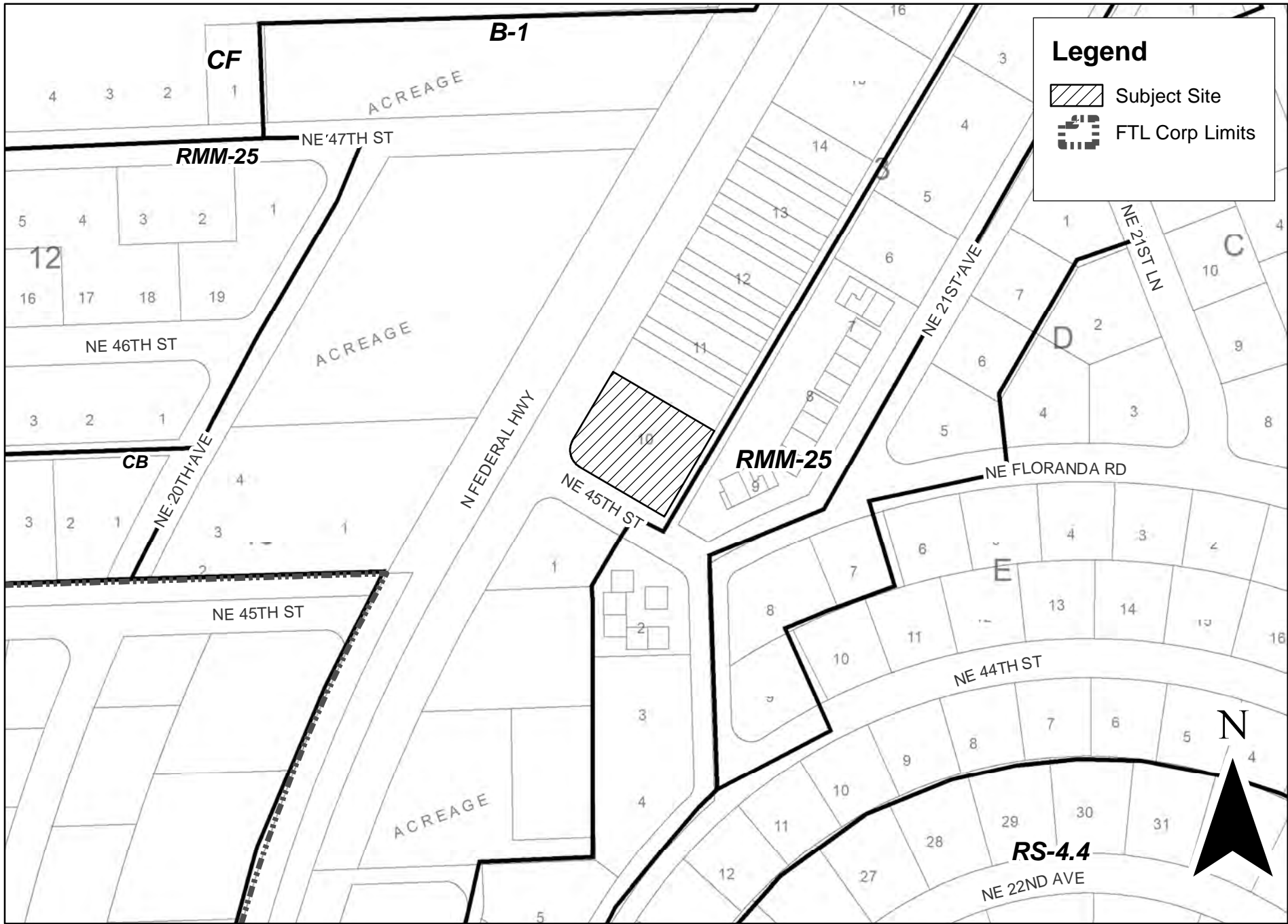


12. The narrative and Floor Plan provided references exam/consultant rooms. Provide information about the purpose of the exam/consultant rooms.
13. Provide detailed notes about the Architectural Electrical Power and Security Devices Floor Plan, Sheet A303, of how the Security Plan meets the criteria pursuant to ULDR, Section 47-18.46.D.3, Medical Cannabis Dispensing Facility.
14. Coordinate and discuss the Security Plan with the Police Representative and ensure that the application addresses criteria as defined in ULDR, Section 47-18.46.D.3, Medical Cannabis Dispensing Facility.
15. Provide Elevations for the building.
16. Provide a conceptual Sign Plan for the proposed use. Please note that signage requires a separate Building Permit submittal and approval.
17. If applicant plans on making any changes to mechanical equipment, depict/label all mechanical equipment including spot elevations of all mechanical equipment to verify proposed screening adequately shields all equipment from view and/or incorporate these elements onto a seamless design treatment solution. Equipment should be centralized to the extent possible so it's not visible. In addition, indicate all mechanical equipment within the subject site on the site plan and elevations where applicable.
18. The City's Vision is to support sustainable infrastructure. Consider employing green building practices throughout the project such as, but not limited to; charging stations, tank-less water heaters, rain collection systems, pervious pavement where appropriate, bio-swales, Florida Friendly™ plant materials, solar panels and green roofs.

### **GENERAL COMMENTS**

The following comments are for informational purposes. Please consider prior to submittal for Final Development Review Committee ("DRC"):

19. Additional comments may be forthcoming at the DRC meeting.
20. Provide a written response to all DRC comments within 180 days.
21. An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments. Prior to routing your plans for Pre-PZ and/or Final DRC sign-off, please schedule an appointment with the project planner (call 954-828-6162) to review project revisions and/or to obtain a signature routing stamp. Please note applicant is responsible for obtaining signatures from all discipline members that had comments and may need to resolve comments through individual appointments if necessary



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