



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: October 27, 2020

PROPERTY OWNER: First Presbyterian Church of Fort Lauderdale, Inc.

APPLICANT/AGENT: Stephen Tilbrook, Akerman, LLP.

PROJECT NAME: Church Property Rezoning

CASE NUMBER: PLN-SITE-20090013

REQUEST: Site Plan Level IV Review: Rezoning from Community Facility-House of Worship (CF-H) District to Community Business (CB) District with .27 Acres of Commercial Flex Allocation for a Parking Facility

LOCATION: 1401 SE 4th Street

ZONING: Community Facility/House of Worship (CF-H)

LAND USE: Low-Medium Residential

CASE PLANNER: Linda Mia Franco

Case Number: PLN-SITE-20090013

CASE COMMENTS:

Please provide a response to the following:

1. Provide accessible route connecting handicap parking spaces to accessible building entrances per FBC Accessibility volume.

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

Please consider the following prior to submittal for Building Permit:

1. On January 1st, 2018 the 6th 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
 - c. <http://www.broward.org/codeappeals/pages/default.aspx>

General Guidelines Checklist is available upon request.



Case Number: PLN-SITE-20090013

DEDICATION OF RIGHTS-OF-WAY: Per ULDR Section 47-25.2.M.5, property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards:

- a. As shown on plan, 5' Right-of-Way dedication along the south side of East Las Olas Boulevard **will be required** to complete half of 70' Right-of-Way section per the most current Broward County Trafficways Plan.
- b. A permanent Right-of-Way Easement along the north and south side of the 10' Alley (PB-1,PG-17) will be required to accommodate a total of 24' drive aisle. Said easement is to extend along the Alley between Tarpon Drive and the end of the easternmost parking stall. Please provide revised plans showing the ROW easement termination.

CASE COMMENTS:

Prior to City Commission Meeting sign-off, please provide updated plans and written response to the following review comments:

1. The survey shall be 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. If any encumbrances are found in the property, provide a copy of the recorded documents accordingly (i.e. easements, dedications, agreements, vacations, etc.).
2. Please provide clarification on the maintenance of the proposed landscape. ULDR Sec. 47-21.10. – Irrigation of the City's Code of Ordinances states that Sufficient irrigation, as determined by Zoning Administrator or designee in accordance with the design of the landscaped area and the requirements of the plant material to be used, shall be supplied to all landscaped areas. A water connection may be required for irrigation purposes.
3. Please email PLAN@FORTLAUDERDALE.GOV to obtain copies of the City utility maps as applicable to the project location and show existing City utilities and easements (water, sewer, forcemain, and stormwater utilities) in proposed engineering plans (utility demolition, stormwater pollution prevention plan (SWPPP), and civil plans).
4. Be advised any road cuts for utilities or curb cuts within City Right-of-Way shall be restored to full lane width for 50' minimum length (by contractor), per City Code of Ordinances Section 25-108; show and label in plans as appropriate. Verify with BCHCED their requirements for any milling and asphalt pavement restoration in vicinity of proposed road cuts for utilities and/or curb cuts within their respective Right-of-Way jurisdictions.
5. Provide disposition of existing utilities on-site and within the adjacent right of way that maybe impacted by the proposed development. Label information on plans (i.e. utility to remain/ be relocated/ removed). Provide correspondence from utility owner (as applicable) and depict any additional requirements they may have on plan (i.e. easements). Utilities include but are not limited to above and underground water, sewer, drainage, electrical, communications, light/power poles, down guys, fire hydrants, manholes, etc.



6. Clearly indicate on plans the limits of construction and how the proposed improvements will transition into the existing (on-site and off-site) as applicable.
7. Provide disposition of existing utilities within the adjacent right of way that maybe impacted by the proposed development.
8. Provide pedestrian crossing on Tarpon Drive north side crossing the alley.
9. Any existing driveway approach not being used is to be removed and replaced with C&G and sidewalk to match typical roadway section.
10. Existing public sidewalks adjacent to proposed development (to remain) must be inspected by Engineer of Record to ensure existing sidewalks meet ADA standards and are in good condition. A signed and sealed assessment must be provided indicating sidewalks were inspected and any sidewalk replacement requirements. Plans shall reflect extent of sidewalk replacement accordingly.
11. Discuss if pedestrian lighting is proposed; if not, discuss the possibility of the addition of pedestrian lighting along City Right-of-Way, which requires perpetual maintenance by the Applicant via a Maintenance Agreement executed with the City. Please contact the Case Planner for details to match the area.
12. Proposed improvement of the existing 10' Alley and proposed Right-of-way easement in compliance with City of Fort Lauderdale Public Works paving and drainage standards.
13. Provide storm runoff calculations, signed and sealed by a Florida registered professional engineer, which demonstrate compliance in accordance with the requirements of the regulatory authority with jurisdiction over stormwater retention and the City of Fort Lauderdale Comprehensive Plan (Ordinance C-08-18), Objective 4.1 under Infrastructure Elements.
14. Discuss how surface runoff from the proposed development (between building and Right-of-Way boundaries) will be mitigated such that it won't be conveyed into the adjacent existing public storm drain infrastructure. In particular along the alley and on the north west area of site, proposed sidewalk connecting Tarpon bend and East Las Olas Boulevard.
15. Please provide an erosion, sedimentation, and stormwater pollution prevention plan (SWPPP) showing the adjacent City's existing stormwater system. A copy of the approved SWPPP shall be at the construction site from the date of demolition initiation to the date of final construction activities. CCTV Notes, Pollution Prevention Notes, and Dewatering Notes to be added to the SWPPP.
16. Provide Maintenance Agreement Area Exhibit, which provides a visual representation of the area within the adjacent public Right-of-Way (adjacent to the proposed development) to be maintained in perpetuity by the developer. Label whether the adjacent Right-of-Way is FDOT, BCHCED, or City jurisdiction, as well as label all proposed improvements, including asphalt and other specialty paving, specialty sidewalks, landscaping, irrigation, lighting, curb and gutter etc. that will be maintained by the Applicant throughout the life of the improvements.
17. Be advise, perpetual maintenance of newly constructed exfiltration trenches, inlets, etc. as a result of case comment #7 within adjacent City Right-of-Way, will typically revert back to the City, upon successful inspection/acceptance by Public Works after 1-year warranty period.



18. If dewatering activities are anticipated, a notarized City dewatering affidavit shall be filed at City's building department when submitting a demolition or foundation permit along with any applicable dewatering permit form regulatory agencies such as the South Florida Water Management District or Broward County Department of Environmental Protection.
19. For Engineering General Advisory DRC Information, please visit our website at <https://www.fortlauderdale.gov/home/showdocument?id=30249>
20. Additional comments may be forthcoming at the DRC meeting and once additional/ revised information is provided on plans.



Case Number: PLN-SITE-20090013

CASE COMMENTS:

Please provide a response to the following:

1. Please provide as built Landscape plans showing field adjustments and species change.



Case Number: PLN-SITE-20090013

CASE COMMENTS:

Please provide a response to the following:

1. Pursuant to Public Participation requirements of Unified Land Development Regulations (ULDR), Sections 47-24.1.F.14 and 47-27.4.A.2.c, the applicant must complete the following:
 - a. Prior to submittal of an application to the Planning and Zoning Board (PZB), the applicant shall:
 - i. Provide notice via e-mail and regular mail to the 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 (a listing of officially-recognized neighborhood associations is provided on the City of Fort Lauderdale website: <https://www.fortlauderdale.gov/departments/city-manager-s-office/office-of-neighbor-support/neighborhood-associations>); and,
 - ii. Provide notice via mailed letter to property owners whose real property is located 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.
 - b. The applicant shall conduct the public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting are 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, 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. 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.
2. The site is designated Commercial to the north and Low-Medium Density Residential to the south on the City's Future Land Use Map. The proposed use is not permitted in the Low-Medium Density Residential designation. This is not a determination on consistency with Comprehensive Plan Goals, Objectives and Policies.
3. Indicate the project's compliance with the following Unified Land Development Regulations (ULDR), section by providing a point-by-point narrative response, on letterhead, with date and author indicated. Also, provide narrative of proposed development.
 - a. Section, 47-25.2, Adequacy Requirements –
 - i. Include adequacy capacity letter that were provided in the plans when the site plan was reviewed as a Site Plan Level II for the file.
 - b. Section 47-25.3 Neighborhood Compatibility –
 - i. Elaborate on the discussion regarding the need for a rezoning based on the parking facility use. For instance, the CF-H allows for surface parking, however, because the south parking lot will now serve for public parking, it requires the property to be rezoned. Pursuant to the Flexibility Rules, a parking facility is allowed in the X-P Zoning District, please elaborate why there is a need for a CB Zoning that is considered a more intense use that allows other uses besides a parking facility. Also, see comment #2.d, regarding parking location. Refer to page 2 of the Rezoning Criteria narrative, A.2.
 - ii. For traffic analysis, provide information submitted in the Site Plan Level II, case number PL-R19042).



- iii. Exhibit 2, page 2 and 3, Design and performance standards – b. control of appearance, (1) Architectural Features – there is no building proposed, so the standards do not apply, please revise the response to reflect the same.
4. The applicant has applied for a rezoning application request for a change to the existing south portion of the property zoned Community Facility-House of Worship (CF-H) District to Community Business (CB) District with commercial flex allocation, in order to accommodate the surface parking facility for public use and to buffer the adjacent uses as needed. Provide in the narrative how the landscape buffer provided with trees adjacent to surface parking addresses the ULDR.
5. Demonstrate that the use of commercial flex acreage supports and implements the specific relevant goals, objectives and policies of the City's Comprehensive Plan, Land Use Element, by providing point-by-point narrative responses, on letterhead, with date and author indicated. For example, elaborate on the north parcel's use as a parking facility for public and private use and how it relates to the south parcel being rezoned.
6. Refer to ULDR, Section 47-20.4.C.2 – Location of parking facilities and loading zones. Include a response how the proposed use will meet the performance criteria of the rezoning section and how the parking facility meets zoning and land use location requirements per respective subsections of this section.
7. Pursuant to ULDR, Section 47-28.1.G *Allocation of commercial uses on residential land use designation*, no more than five percent (5%) of the total area within a flexibility zone, which is designated residential on the city's plan, may be rezoned to CB or X-use. Applicant shall determine the flex zone and verify the availability of commercial flex. Information can be obtained by contacting Jim Hetzel via email at jhetzel@fortlauderdale.gov and results shall be included in the project narrative.

Please note the parcel to be rezoned and allocation of commercial flex is the south parcel, which is .27 acres, per survey provided.

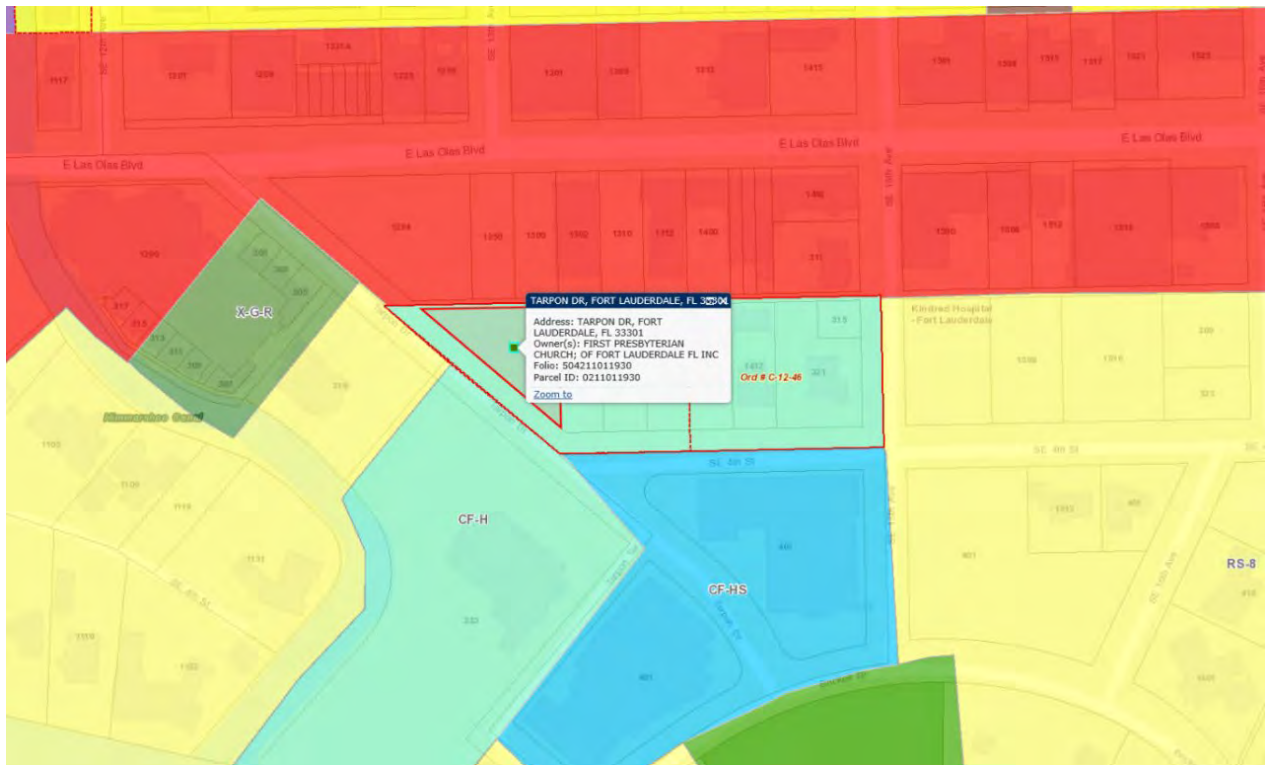
8. Provide an exhibit showing the portion of land where commercial flex will be allocated on the residential land use and identify Commercial Land Use on the north parcel for clarification of the entire site being improved for the entire project.
9. Request a Zoning and Land use Map of the subject sites from the UDP, Planning Assistant, Maria Roque at mroque@fortlauderdale.gov. Please provide information on both site and address for easier reference. Site to be rezoned to the south is 320 Tarpon Drive and north commercial parcel is 1401 SE 4 Street. See below, per application documents. Please revise application and respective documents to reflect both addresses.



PROJECT ADDRESS: 504211011940: 1401 SE 4 ST
504211011930: 325 TARPON DR

PREVIOUS ADDRESS: 504211011940: 1401 SE 4 ST
504211011930: 325 TARPON DR

NOTES: DRC Site Plan



10. Provide documentation from the Broward County Planning Council that a platting is not required, refer to Site Plan Level II, PL-R19042, case to have as part of this application request.
11. Since this development project is under construction and is in the building permitting inspections phase, please provide any revised plans that were done on-site and as-built of the project if applicable.
12. Please refer to attached survey below for comments from City Surveyor, Michael Donaldson. Revise survey to reflect changes and resubmit a signed & sealed survey.



GENERAL COMMENTS:

The following comments are for informational purposes.

Please consider the following prior to submittal for Final Development Review Committee (DRC):

13. Please be advised that pursuant to State Statute, Section 166.033, that within 120 days of an application being deemed complete, or 180 days for applications requiring a quasi-judicial hearing or public hearing, a municipality is required to render a decision on the application, unless an extension of time is mutually agreed upon between the City and the applicant.
14. An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments. Prior to routing your plans for Final DRC sign-off, please schedule an appointment with the project planner, Linda Mia Franco, AICP via email (lfranco@fortlauderdale.gov) to review project revisions and/or to obtain a signature routing stamp.

SKETCH & DESCRIPTION

LOT 13 & A PORTION

OF LOT 14, BLOCK 34

(P.B. 1, PG. 17, B.C.R.)

CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

TO R6 ZONE FROM "CF-H" TO "CB"

LAND DESCRIPTION:

Lot 13, Block 34, and the West 6.37 feet of Lot 14, Block 34, COLEE HAMMOCK, according to the Plat thereof as Recorded in Plat Book 1, Page 17 of the Public Records of Broward County, Florida; being more particularly described as follows:

Begin at the Northwest corner of said Lot 13, Block 34, thence N88°46'20"E, along the North line of said Lots 13 and 14, a distance of 164.77 feet; thence S01°06'40"E, along a line that is 6.37 feet East and parallel to the West line of said Lot 14, Block 34, a distance of 145.00 feet; thence N49°49'40"W, along the Southwest lot line of said Lots 13 and 14, Block 34, a distance of 219.26 feet to the Point of Beginning.

Said land lying in Fort Lauderdale, Florida, containing 11,945 square feet, 0.2742 acres, more or less.

SURVEYOR'S NOTES:

- 1. Reproductions of this Sketch are not valid without the signature and the original seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this sketch by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are relative to said plat, based on the north line of Lot 13, Block 34 having a bearing of N88°46'20"E.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: B.C.R. = Broward County Records; F.B. = Field Book; L.B. = Licensed Business; P.B. = Plat Book; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 9/17/2020

Signature of John T. Doogan, P.L.S.
JOHN T. DOOGAN, P.L.S.
Florida Registration No. 4409
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

NOT VALID WITHOUT SHEETS 1 AND 2

Table with 2 columns: REVISIONS, REVISE. Row 1: 09/17/2020



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Table with 2 columns: JOB #, SCALE, DATE, BY, CHECKED, F.B., SHEET. Values: 6770-22, 1" = 30', 07/06/2020, W.R.E., J.T.D., - PG. -, 1 OF 2

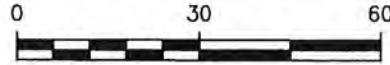
SKETCH & DESCRIPTION
LOT 13 & A PORTION

OF LOT 14, BLOCK 34
 (P.B. 1, PG. 17, B.C.R.)

CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

TO BE MOVED FROM "CF-H" TO "CB"

BLOCK 34
 (P.B.1/17, B.C.R.)



GRAPHIC SCALE IN FEET
 SCALE: 1" = 30'



11

10

9

P.O.B.

NORTHWEST CORNER
 LOT 13, BLOCK 34

N88°46'20"E

10' ALLEY
 (P.B. 1/17, B.C.R.)

164.77'

NORTH LINE
 LOTS 13 & 14, BLOCK 34
 BEARING BASIS

N49°49'40"W

LOTS 13 & 14, BLOCK 34
 SOUTHWEST LINE

WEST LINE
 LOT 14, BLOCK 34

LOT 13
 11,945 SQUARE FEET
 0.2742 ACRES

BLOCK 34
 (P.B.1/17, B.C.R.)

145.00'

6.37' EAST
 AND PARALLEL

REMAINDER
 OF LOT 14

15

TARPON DRIVE

219.26'

PORTION OF LOT 14

S01°06'40"E

WEST 6.37'
 LOT 14

S.E. 4TH STREET

**NOT VALID WITHOUT
 SHEETS 1 AND 2**

REVISIONS

REVISE 09/17/2020



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JOB #: **6770-22**

SCALE: 1" = 30'

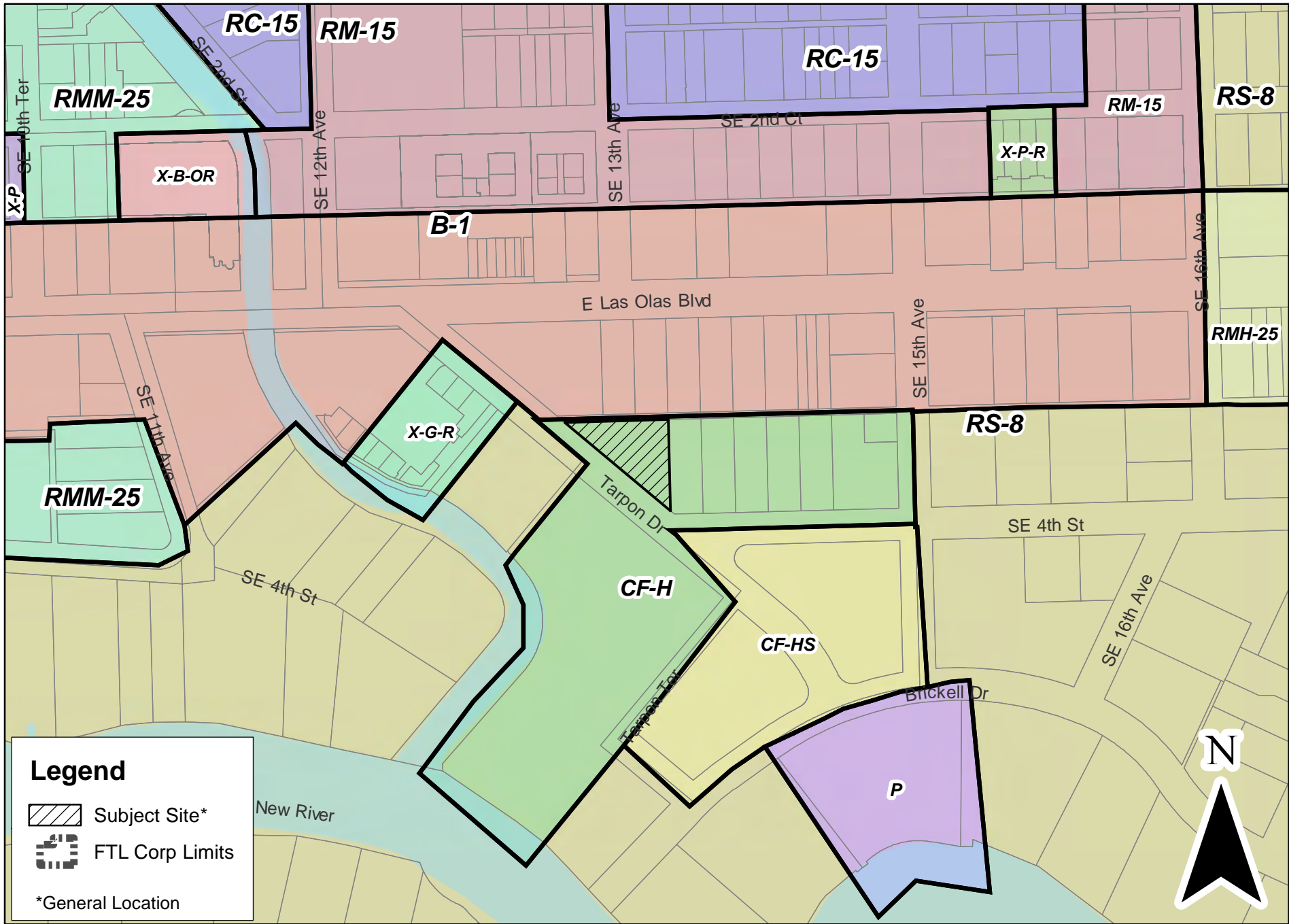
DATE: 07/06/2020

BY: W.R.E.



CHECKED: J.T.D.

F.B. - PG. -

SHEET: **2 OF 2**



Legend

-  Subject Site*
-  FTL Corp Limits

*General Location

PLN-SITE-20090013

