



# PLANNING AND ZONING BOARD MEETING

City Commission Chambers

City Hall

100 N Andrews Avenue Fort Lauderdale, FL 33301

December 19, 2018

6:30 PM

## AGENDA RESULTS

- I. CALL TO ORDER / PLEDGE OF ALLEGIANCE
- II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM
- III. PUBLIC SIGN-IN / SWEARING-IN
- IV. AGENDA ITEMS:

1. -----

**CASE:** PL16008

**REQUEST: \*\*** Plat Review

**APPLICANT:** Gummakonda Properties, Inc.

**PROJECT NAME:** Gummakonda Plat

**GENERAL LOCATION:** 3001 N Ocean Boulevard

**ABBREVIATED LEGAL DESCRIPTION:** Lauderdale Beach 4-2 B Por Of Lots 94 & 95 Desc As: Beg Int N/L Lot 95 & W/R/W/L A-1-A, SW 85.60 Alg W/R/W/L To P/C, Swly Arc Dist 22.95, Wly 165.25 Alg S/L Lot 94, N 99.92, Ely 183.72 Alg N/L Lot 95 To Pob Aka: 3001 N Ocean Blvd

**ZONING DISTRICT:** Community Business (CB)

**LAND USE:** Commercial

**COMMISSION DISTRICT:** 2 – Steven Glassman

**CASE PLANNER:** Nicholas Kalargyros

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**WITHDRAWN BY APPLICANT**  
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2. -----

**CASE:** R17013

**REQUEST: \*\*** Site Plan Level III Review: Conditional Use for a Mixed Use Development; 16 Residential Units and 2,215 Square Feet of Retail Use with Residential Flex Allocation

**APPLICANT:** Gummakonda Properties, Inc.

**PROJECT NAME:** Ocean 3001

**GENERAL LOCATION:** 3001 N Ocean Boulevard

**ABBREVIATED LEGAL DESCRIPTION:** Lauderdale Beach 4-2 B Por Of Lots 94 & 95 Desc As: Beg Int N/L Lot 95 & W/R/W/L A-1-A, SW 85.60 Alg W/R/W/L To P/C, Swly Arc Dist 22.95, Wly

165.25 Alg S/L Lot 94,N 99.92,Ely 183.72 Alg N/L Lot 95 To Pob Aka: 3001 N Ocean Blvd

**ZONING DISTRICT:** Community Business (CB)

**LAND USE:** Commercial

**COMMISSION DISTRICT:** 2 – Steven Glassman

**CASE PLANNER:** Florentina Hutt

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**WITHDRAWN BY APPLICANT**

3.

**CASE:** **R17037**

**REQUEST: \*\*** Site Plan Level III Review: Conditional Use for a Telecommunications Facility

**APPLICANT:** Florida Power & Light

**PROJECT NAME:** Florida Power & Light Fibernet – Rohan Substation

**GENERAL LOCATION:** 1750 SW 31<sup>st</sup> Avenue

**ABBREVIATED LEGAL DESCRIPTION:** Rohan Acres 22-43, according to the plat thereof, as recorded in Plat Book 22, Page 43, of the public records of Broward County, Florida.

**ZONING DISTRICT:** Utility (U)

**LAND USE:** Utilities

**COMMISSION DISTRICT:** 4 – Ben Sorensen

**CASE PLANNER:** Nicholas Kalargyros

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**WITHDRAWN BY APPLICANT**

4.

**CASE:** **R17057**

**REQUEST: \*\*** Site Plan Level III Review: Waterway Use and Yard Modification for Seven Multi-Family Residential Units

**APPLICANT:** 94-96 Hendricks Isle, LLC.

**PROJECT NAME:** 94 Hendricks

**GENERAL LOCATION:** 94 Hendricks Isle

**ABBREVIATED LEGAL DESCRIPTION:** Lot 3, Block 4, of "Victoria Isles", According to the Plat Thereof, as Recorded in Plat Book 15, Page 67, of the Public Records of Broward County, Florida

**ZONING DISTRICT:** Residential Mid-Rise Medium High Density (RMM-25)

**LAND USE:** Medium-High

**COMMISSION DISTRICT:** 2 – Steven Glassman

**CASE PLANNER:** Florentina Hutt

**DEFERRED (7-0) TO THE FEBRUARY 20, 2019 PLANNING & ZONING BOARD MEETING**

5. **CASE:** **R17065**

REQUEST: \*\* Site Plan Level III Review: 86 room Assisted Living Facility  
APPLICANT: EMPI LLC.  
PROJECT NAME: Serenity  
GENERAL LOCATION: 1169 NE 4<sup>th</sup> Avenue  
ABBREVIATED LEGAL DESCRIPTION: PROGRESSO 2-18 D, Block 143, Lots 1 – 5, Less E 10 for Street  
ZONING DISTRICT: Community Business (CB)  
LAND USE: Commercial  
COMMISSION DISTRICT: 2 – Steven Glassman  
CASE PLANNER: Yvonne Redding

APPROVED (6-1), SUBJECT TO 30-DAY CITY COMMISSION REQUEST FOR REVIEW PERIOD, WITH THE FOLLOWING STAFF CONDITIONS:

1. If approved, the residential units are subject to School Board of Broward County public school concurrency review and mitigation. As applicable, applicant shall provide a student mitigation satisfaction letter from the Broward County School Board prior to Final DRC approval.
2. As applicable to an SSRF, Applicant shall pay a Park Impact Fee for the proposed residential units prior to issuance of building permit in accordance with ULDR Sec. 47-38A.
3. Engineering Conditions:
  - a. Prior to issuance of Final Certificate of Occupancy (C.O.), applicant shall record a public right-of-way dedication or right-of-way easement on southwest corner of NE 4<sup>th</sup> Avenue / State Road 811 & NE 12<sup>th</sup> Street intersection, consisting of twenty-five (25) foot corner chord as approved by the Florida Department of Transportation (FDOT).
  - b. Prior to issuance of Final C.O., applicant shall record a public right-of-way easement along the south side of NE 12<sup>th</sup> Street, consisting of five (5) feet to complete half of the minimum fifty (50) foot right-of-way section as approved by the City Engineer.
  - c. Prior to issuance of Final C.O., applicant shall record a public pedestrian sidewalk access easement along the west side of NE 4<sup>th</sup> Avenue / State Road 811, to accommodate a portion of the required pedestrian clear path located outside of existing right-of-way as approved by the FDOT.
  - d. Prior to issuance of Final C.O., applicant shall coordinate Maintenance Agreement with the FDOT (for property frontage along NE 4<sup>th</sup> Avenue / State Road 811) and with the City (for property frontage along NE 12<sup>th</sup> Street). Proposed improvements within adjacent City right-of-way include asphalt driveway paving, landscaping including any structural soil, and irrigation.
  - e. Prior to Final Development Review Committee (DRC) approval, applicant shall:
    - i. Confirm that based on Opinion of Title provided for this property, that any easements, encumbrances, etc. are labeled on the Survey as appropriate.

**ii. Provide written correspondence between Public Works staff and Engineer of Record regarding adequacy of proposed water and sewer service connections.**

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6. CASE: R18065  
REQUEST: \*\* Site Plan Level IV Review: Twenty-one Multifamily Residential Units with Yard Modification  
APPLICANT: Dev Motwani  
PROJECT NAME: 530 N. Birch Road  
GENERAL LOCATION: 530 N. Birch Road  
ABBREVIATED LEGAL DESCRIPTION: BIRCH OCEAN FRONT SUB 19-26 g Block 2, Lot 2 and 3  
ZONING DISTRICT: North Beach Residential Area (NBRA)  
LAND USE: Central Beach Regional Activity Center (C-RAC)  
COMMISSION DISTRICT: 2 – Steven Glassman  
CASE PLANNER: Yvonne Redding

**RECOMMENDED FOR APPROVAL (7-0) TO THE CITY COMMISSION,  
WITH THE FOLLOWING STAFF CONDITIONS:**

1. **At time of permit submittal, applicant will be required to pay a Park Impact Fee for the proposed residential units prior to issuance of building permit in accordance with ULDR Sec. 47-38A.**
2. **Prior to final DRC, applicant shall provide a School Capacity Availability Determination (SCAD) letter that confirms that school capacity is available, or if capacity is not available, that mitigation requirements have been satisfied.**
3. **Engineering Conditions:**
  - a) **Prior to final DRC sign off, applicant shall provide a non-objection letter from utility owners for the proposed on-site drainage improvements and (any other encroachments) within the existing 4' utility easement along the east boundary of the property.**
  - b) **Prior to final DRC sign off, applicant shall confirm all proposed planting within sight triangles (including the landscape island between the drop off area and Birch Road) meet ULDR Section 47-35.**
  - c) **Prior to final DRC sign off, applicant shall confirm 5 feet horizontal clearance is provided between trees and proposed water and sewer services to the site (within the right of way/ City maintenance). A note shall be included on landscape plans accordingly.**
  - d) **Prior to Building Permit, applicant shall provide a bond for the construction and/ or replacement of public sidewalks/ ADA ramps abutting the proposed development. The bond amount shall be for 125% of the total construction cost. A cost estimate breakdown for the installation of the public sidewalk improvements (including but not limited to materials, labor, mobilization, MOT, permitting and certification)**

signed and sealed by a Florida Professional Engineer shall be submitted for review and acceptance prior to finalizing the bond.

- e) Prior to final DRC sign off, applicant shall provide a 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. Perpetual maintenance of newly constructed exfiltration trenches, inlets, etc. 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.
  - f) Prior to issuance of final Certificate Occupancy, applicant shall record a twenty (20) feet corner chord Right-of-Way dedication or right-of-way easement to the City on southeast corner of Windamar Street & Birch Road intersection and on northeast corner of Birch Road & Viramar Street intersection per ULDR Section 47-24.5.D.p, as approved by the City Engineer.
  - g) Prior to issuance of final Certificate Occupancy, applicant shall record a permanent Sidewalk Easement as appropriate along east side of Birch Road and north side of Viramar Street to accommodate portion of the 7' (min.) pedestrian clear path that may be located beyond public Right-of-Way and/or Right-of-Way Easement dedication; as approved by the City Engineer.
  - h) Prior to issuance of final Certificate Occupancy, applicant shall record a 10' x 15' (min.) permanent Utility Easement for any 4 Inch or larger water meter located within the proposed development (for City Maintenance access); as approved by the City Engineer.
  - i) Please be advised that any City right-of-way closure over seventy-two (72) hours requires a Revocable License Agreement, processed by Property Right-Of-Way Committee (DRC) and approved by the City's Commission.
4. The applicant is required to provide updated information regarding the existing approved unit count in the motel building. This may or may not affect the peak hour trip count.
5. The subject property is located on the coastal barrier island in an area identified as the Fort Lauderdale Beach Archaeological Zone. This area has previously yielded significant prehistoric and historic archaeological deposits including recently identified site 8BD5880 (Alhambra), located approximately 1,600 feet south of the subject property. The Alhambra site is a prehistoric midden with evidence that suggest the site was the locus of fishing activities between 1000 BC to AD 1700. The site was discovered during post-demolition archaeological survey of the Casa Alhambra parcel and demonstrates prehistoric archaeological features may remain preserved beneath existing twentieth century development. The following is recommended for archaeological testing and monitoring as part of this new development:
- a) Archaeological Testing – An archaeological survey of vacant lot 2 should be conducted in coordination with the issuance of a demolition permit within the subject property. At the time of applying for a demolition permit, a letter of agreement with a professional archaeologist shall be submitted to
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the Historic Preservation Planner. The study should consist of shovel test pits (STP) distributed evenly across the parcel at approximately 10 meter intervals (3 transects of 5 STP equaling approximately 15 STP total). If necessary, mechanical assistance may be used to remove asphalt and surface pavement/overburden in order to provide suitable access to the site for conducting STPs. All mechanical operations should be supervised by an archaeologist to monitor activities for archaeological discoveries. STPs that yield prehistoric archaeological materials shall be bounded by double negative judgmental STPs placed at half-intervals in cardinal directions.

Upon completion of the survey, a preliminary report documenting the survey findings and methodology must be submitted prior to applying for foundation, utility, or building permits to the Historic Preservation Planner – Trisha Logan, Historic Preservation Planner, at 954-828-7101 or at [tlogan@fortlauderdale.gov](mailto:tlogan@fortlauderdale.gov). Dependent on results of initial survey additional testing or modifications may be required, including any measures to implement Chapter 872.05 *Florida Statutes* as it pertains to the discovery of unmarked human remains.

- b) Archaeological Monitoring - An archaeologist should monitor subsurface disturbances within the subject property (lots 2 and 3) during the demolition of existing structures. The purpose of the archaeologist will be to observed ground-disturbances and to record and collect discoveries as they deem appropriate. In the event that significant archaeological materials or unmarked human remains are encountered then the archaeologist shall be empowered to direct the project site manager to halt excavation in the vicinity of the find and to alert the City’s historic preservation staff to coordinate the discovery and take measures to implement Chapter 872.05 *Florida Statutes* as it pertains to the discovery of unmarked human remains.

Upon completion of monitoring activities, a preliminary monitoring report documenting the monitoring findings and including a monitoring log must be submitted to the Historic Preservation Planner - Trisha Logan, Historic Preservation Planner, at 954-828-7101 or at [tlogan@fortlauderdale.gov](mailto:tlogan@fortlauderdale.gov).

- c) A final archaeological survey report should be submitted, prior to the issuance of a foundation or building permit, to the Historic Preservation Planner. The report should document study methodology, findings, and recommendations and include results of the survey of lot 2 and accessible portions of Lot 3 as well as the results of the archaeological monitoring.

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7.	CASE:	R17076
	REQUEST: **	Site Plan Level III Review: Ten multifamily units with Yard Modification
	APPLICANT:	Marie C. Curtis Q Tip / 912 Victoria, LLC.

**PROJECT NAME:** 912 Victoria  
**GENERAL LOCATION:** 912 NE 4<sup>th</sup> Street  
**ABBREVIATED LEGAL DESCRIPTION:** RESUB BLKS 9-12 HOLMBERG & MC KEES 3-115 D Lot 20 W 20,21 E 41  
**ZONING DISTRICT:** Residential Multifamily Mid Rise/ Medium High Density (RMM-25)  
**LAND USE:** Medium-High  
**COMMISSION DISTRICT:** 2 – Steven Glassman  
**CASE PLANNER:** Yvonne Redding

**DEFERRED (7-0) TO THE JANUARY 16, 2019 PLANNING & ZONING BOARD MEETING**

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**V. COMMUNICATION TO THE CITY COMMISSION**

**VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**

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**PLEASE NOTE THAT TWO-WAY COMMUNICATION BETWEEN MEMBERS OF THE PLANNING & ZONING BOARD IS PROHIBITED BY SUNSHINE LAW. PLEASE DO NOT REPLY TO ANY BOARD MEMBER. ALL DISCUSSIONS ON ITEMS RELATIVE TO THE AGENDA SHOULD TAKE PLACE AT SCHEDULED BOARD MEETINGS.**

\*If a person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk's office at (954) 828-5002 and arrangements will be made to provide these services for you.

Local Planning Agency (LPA) items (\*) – In these cases, the Planning and Zoning Board will act as the Local Planning Agency (LPA). Recommendation of approval will include a finding of consistency with the City's Comprehensive Plan and the criteria for rezoning (in the case of rezoning requests).

Quasi-Judicial items (\*\*)- Board members disclose any communication or site visit they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on quasi-judicial matters will be sworn in and will be subject to cross-examination.