



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: April 13, 2021

PROPERTY OWNER: Bal Harbour Square, LLC.

APPLICANT/AGENT: Andrew Schein, Lochrie & Chakas, P.A.

PROJECT NAME: Publix

CASE NUMBER: UDP-S21004

REQUEST: Site Plan Level II Review: 32,783 Square Feet of Commercial Use

LOCATION: 1744 N Federal Highway

ZONING: Boulevard Business (B-1)

LAND USE: Commercial

CASE PLANNER: Christian Cervantes

Case Number: UDP-S21004

CASE COMMENTS:

Please provide a response to the following:

1. Specify uses and occupancy classification per Chapter 3 of the FBC 2020.
2. Specify height and area compliance per Chapter 5 of the FBC 2020.
3. Provide building construction type designation per Chapter 6 of the FBC 2020.
4. Specify fire-resistance rating requirements based on building separation FBC Table 601 and 602.
5. Provide occupancy loads with compliant life safety egress design per Chapter 10 of the FBC 2020.
6. Indicate code compliant sprinkler system per FBC 2020.
7. Specify required number of exits based on travel distance, occupancy load and use FBC 1006.
8. Update the building code references to the current 2020 Florida Building Code-Seventh Edition on Sheet C0 [F.B.C.101.2]
9. Update the ASCE standards for Minimum Design Loads for Buildings and Other Structures to the current ASCE 7-16 on Sheet C0.

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 December 31st, 2021 the 7th 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: UDP-S21004

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. Provide 10' x 15' (min.) permanent Utility Easement for any 4-inch or larger water meter and/or the first private sanitary sewer manhole (IA) located within the proposed development (for City Maintenance access); show/label delineation on the plans as appropriate.

CASE COMMENTS:

Prior to Final DRC sign-off, please provide updated plans and written response to the following review comments:

1. Prepare service demand calculations for water & wastewater services and obtain a letter of service availability from the City's Public Works – Engineering Department in order to meet the City's adequacy requirements per ULDR Section 47-25.2 of the City's Code of Ordinances. Submit water and wastewater capacity availability request form and documents/ plans at:
<https://www.fortlauderdale.gov/Home/Components/Form/Form/bbf65141dfd54b86a9e0f6a8134aa052/25?page=4>
2. Provide conceptual Water and Sewer Plan that features proposed connections to City infrastructure, including limits of any existing City water main and/or sanitary sewer infrastructure to be removed and/or modified, and location of all existing utilities in vicinity of the proposed improvements (that may be in conflict).
3. Provide disposition of existing utilities on-site and within the adjacent right of way that may be 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.
4. Coordinate with Public Works (Utilities Distribution and Collection Division) for any connections to and/or demolition of existing City infrastructure.
5. 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.
6. Discuss status of existing 10-ft Utility Easement along south property boundary (NE 22 Ave). A 'letter of no objection' will be required from utility owner for any proposed construction within this easement.
7. Provide sufficient existing and proposed grades and information on conceptual Paving, Grading, and Drainage Plan and details to demonstrate how stormwater runoff will remain onsite (include typical cross-sections along all property lines as appropriate, and depict how the new stormwater system will connect to the existing on-site drainage system), and how the proposed project improvements will not adversely impact the adjacent Right-of-Way, properties and waterways. Show location of building roof drains, and their proposed connection(s) to the on-site drainage system.
8. Provide storm runoff calculations, signed and sealed by a Florida registered professional engineer, which demonstrate how minimum criteria regarding adjacent street crown, water quality and



finished floor elevations are met, as well as how the 25-year, 3-day and the 100-year, 3-day storm events are maintained on site with zero discharge to Right-of-Way and adjacent properties. Please also comply with the City of Fort Lauderdale Comprehensive Plan (Ordinance C-08-18), Objective 4.1 under Infrastructure Elements, and be advised that effective 7/1/2017, all projects must comply with the Broward County 'Future Conditions Average Wet Season Groundwater Level' map.

9. 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.
10. 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 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.
11. For Engineering General Advisory DRC Information, please visit our website at <https://www.fortlauderdale.gov/home/showdocument?id=30249>
12. Additional comments may be forthcoming at the DRC meeting and once additional/revised information is provided on plans.

Case Number: UDP-S21004

CASE COMMENTS:

Please provide a response to the following:

1. Tree islands within the west vehicle use area (with the proposed pathway) are required at the end of a parking row next to a drive isle. The landscape width being above the minimum of 8 feet is due to the amount of parking spaces in a row. If an additional tree island were to be proposed within each of these parking stall rows (as not to have over 10 stalls in a row) some encroachment may be made to the end tree islands. This may be done providing that the tree islands next to the drive isle have a minimum landscape area width of 8 feet. The north side VUA and proposed pathways; the center pathway if it were to be shifted to one side and the other side of the pathway is the landscape area of at least 8 feet inside curb to inside curb that an appropriate tree may be proposed, this would be supported by the Department. The other proposed pathway coming off the northwest corner of the building is acceptable for code requirements of the landscape tree islands.
2. It appears that the calculation for VUA requirements is only addressed to the north side VUA and not the entire site. Trees being proposed for removal count toward the site's VUA tree requirements and those proposed for installation don't cover the count of those being removed. Please include the rest of the site's VUA within the calculations and how code required trees are being provided as to section 47-21.12.
3. It appears that a violation to city ordinance of tree abuse has been taken place. Section 47-21.15.D. Tree Abuse. Tree abuse is prohibited.
"Abused trees may not be counted toward fulfilling landscape requirements." Tree abuse shall include but not limited to subsection "d. Cutting upon a tree which alters the natural shape." The Ligustrum trees located on the site are in violation of this ordinance. These Ligustrum are to be removed and appropriate replacements provided that count toward site code requirements.
4. Please provide a permit number and its previous approved Landscape plan for the site that may be used for replacement of any landscape material deficiencies. Previous approved and permitted plan may be used as comparison and for adjustments to plan that appear to be needed as to the comments of #2 and #3. If no previous approved permitted Landscape plan, a plan will need to be provided demonstrating site code compliance for the vehicle use area and street tree requirement.
5. Sight triangles located at the intersection of a local street or driveway with a right-of-way under County, State or Federal jurisdiction, may be subject to the sight visibility requirements of those jurisdictions, as per ULDR 47-2.2.Q. Illustrate such sight triangles. Approval from jurisdiction for streetscape landscape installation in Right of Way, preferred prior to final DRC sign off. If jurisdiction approval is obtained after DRC final sign off and the plans require any change, Administrative Review will be required prior to permit review.
6. Tree preservation requirements apply, please have a certified ISA Arborist evaluate the existing trees and palms that they may be saved by relocation instead of being destroyed.
7. Please verify Section 47-25.3. Neighborhood Compatibility requirements for the east side of the site.



8. To provide additional screening to the neighboring residential properties to the east, please investigate a proposal of trees and palms along the required landscape buffer area and at the created landscape cutout area of the structure.

GENERAL COMMENTS

The following comments are for informational purposes.

Please consider the following prior to submittal for Building Permit:

1. A separate sub-permit application for Tree Removal, Relocation, and General Landscaping for site is required at time of master permit submittal. These are Landscape and Tree permit application documents different than the Broward County standard applications. Please not at this time of DRC submittal.
2. Proposed landscaping work in the City's right of way requires engineering permit and approval (GLandscape permit). This approval requires documents to be submitted for Engineering review. Note that Landscape will not approve permit review without these Engineering documents being submitted.
3. Provide separate Plumbing sub permit application for irrigation. Irrigation plans are required at time of Building permit submittal. Plans are to be in compliance with ULDR 47-21.6.A.11 and 47-21.10. Note that planting areas are to be irrigated on a separate zone than the turf areas so that once the plants are established, that particular zone can be shut off based on the season. The overall goal is to decrease water use through irrigation. Plant material must be grouped together based on watering needs (hydrozone) and turf areas must be limited and/or consolidated to less than 50% of the landscaped area. Illustrate hydrozones on planting plan and include calculations in table.



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CASE COMMENTS:

Please provide a response to the following:

1. Glass doors and windows should be equipped with burglary deterrent features such as track blocks, door pins, or similar devices.
2. All glazing should be impact resistant.
3. Building should be pre-wired for an alarm system.
4. Lighting and landscaping should follow CPTED guidelines.
5. A CCTV system should be employed throughout the property with focus on entry/exit points, parking lot, aisles and common areas. It should be capable of retrieving an identifiable image of a person.
6. Light reflecting paint should be used in parking garage to increase visibility and safety.
7. All restricted areas and employee only areas should be access controlled and labelled as such.
8. Office, restroom, and storefront doors should be lockable from the inside to provide safe shelter in the case of an active threat such as an active killer event.

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.



Case Number: UDP-S21003

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 7:00 pm within 250 feet of residential.
5. Containers: must comply with 47-19.4
6. Solid Waste charges shall be collected in monthly lease with Sanitation account for property under one name (Commercial).
7. 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).
8. Draw equipment on plan to show it will fit in trash room.
9. Draw equipment on the site plan.
10. 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. 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. None



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CASE COMMENTS:

1. Submit a traffic impact statement and coordinate with the Transportation and Mobility Department regarding traffic calming and a traffic impact study if needed. A traffic study is needed Pursuant to 47-25.2.M.4. Applicant must fund City's review by consultant and pay a \$4,000 deposit prior to scheduling a methodology meeting after which the study will be prepared, transmitted and reviewed by the City's consultant. Staff and consultant's review concerns shall be adequately resolved prior to gaining authorization for either the Planning & Zoning Board or City Commission hearings. Take into consideration that the review of this study, once submitted, will take about 4-6 weeks once all documents are received.
2. Include a table showing the proposed land uses, the floor area in square feet for each land use, the parking ratio, the number of parking spaces required by type, and the number of parking spaces proposed by type (standard, compact, handicapped, bicycle, loading, etc.). ULDR Sec. 47-20.2. - Parking and loading zone requirements.
3. All parking must be provided in accordance with design and construction standards of the ULDR Section 47-20.11. Show dimensions for: stall width, depth of stall 90 degrees to aisle, aisle width, width of stall parallel to aisle, module width, angle of parking stalls.
4. Bicycle parking is strongly encouraged. Consult the APBP Bicycle Parking Guidelines, city of Fort Lauderdale Parking Standards and Broward County End-of-Trip Bicycle Facilities Guide. Look to 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. Bicycle parking needs to be located on the site so that it is accessible to the public.
5. Additional comments may be provided upon further review.
6. Sign off is required.

GENERAL COMMENTS:

Please address comments below where applicable.

1. 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.
2. 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.



Case Number: UDP-S21004

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: <https://www.fortlauderdale.gov/departments/city-manager-s-office/office-of-neighbor-support/neighborhood-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. Provide a Plat Determination Letter from Broward County Planning Council verifying whether the properties need to be platted or re-platted. If a plat or re-plat is not required, contact the Broward County, Development Management and Environmental Review Section, at (954) 357-8695 to ensure that the proposed project is consistent with the latest recorded plat restriction(s). If a plat note or non-vehicular access line (NVAL) amendment is needed, a separate application is required, which is reviewed administratively.
4. Indicate the project's compliance with the following ULDR sections by providing point-by-point responses to criteria, on letterhead, with date and author indicated.
 - a. Sec. 47-23.9, Interdistrict Corridor Requirements
5. Provide the following changes on site plan:
 - a. Indicate all adjacent building footprints, indicating their heights, and dimension approximate setbacks.
 - b. Show centerlines of all adjacent ROWs and dimension widths.
 - c. Indicate all utilities (both above and below ground) that would affect the proposed planting or landscape plan. Overhead lines (if any) should be placed underground. If the lines cannot be placed underground, provide documentation from Florida Power & Light Company indicating such.
 - d. Provide location of trash receptacles or dumpsters; discuss location with solid waste and recycling representative. Show typical trash container dimensions and location for each unit.
 - e. Clearly label on site plan the location of enclosure(s), dumpster(s), recycling area(s), containers, etc. as applicable relating to Solid Waste / Recycling. Indicate on plans where users' accessibility is accommodated for all container areas.
 - f. Plans show improvements and changes outside of the clouded "limit of work" area. Cloud all areas that are a part of this development proposal including the pedestrian pathway improvements, parking lot improvements, as well as landscaping changes.
 - g. Site should contain more internal pedestrian walkways that connect the various buildings and provide a connection to the public sidewalk.
 - h. Mechanical equipment such as transformers and generators on the north side of the site should be relocated to the back of building and be completely hidden from view as to not be seen along the parking lot to the north and public view. The area should contain more landscaping material instead.
 - i. Provide for more landscape material such as palms in the planter area in front of the building. See images below.



6. Provide the following changes on elevations:
 - a. Show setback dimensions from the property lines to the building on the north and south elevations.
 - b. Show setback dimensions from the buffer wall to the building on the north and south elevations.
 - c. Provide dimensions, material, and label gate located on east side of building.
7. Provide a floor plan for Building 4 based on the proposed change of use request. Depict the location of the proposed retail and restaurant space on the plan sheets. Note location of all loading zones, refuse collection, sanitation services, as well as any other pertinent site plan information.
8. Provide legible photometric plan for the site. Extend values on photometric plans to all property lines. Show values pursuant to the Unified and Land Development Regulations ("ULDR"), Section 47-25.3.A.3.a and 47-20.14. Indicate lighting poles on site plan and landscape plan and provide detail with dimensions.
9. Provide a truck movement and turning radius plan demonstrating safe movement in and around the site including the loading zones and access points into the site.
10. Pursuant to ULDR Sec. 47-20.5.B, General Design of Parking Facilities; Address the pedestrian/vehicle conflicts indicated on site plan to assure "the safety and convenience of pedestrians" and "avoidance of congestion, confusion and conflicts between pedestrian and vehicular traffic."
 - a. Current conditions show Building 4 as the only building disjointed from the rest of the buildings in the plaza with no entrances to the building externally from North Federal Highway or NE 19th Street. There is only one entry internal to the site – requiring pedestrians to walk through the parking lot and drive aisles.
11. Pursuant to ULDR Sec. 47-20.19.B, Nonconforming Parking and Loading and ULDR Sec. 47-25.3.A.3.d.ii, Neighborhood Compatibility Requirements; If parking is to maintain legal non-conformity status along the eastern property line against the residential zoning district to the east, new parking spaces cannot be permitted. Remove the three new parking spaces adjacent to the loading area.
12. Pursuant to ULDR Sec. 47-23.9, Interdistrict Corridor Requirements; the proposed site is intended to accommodate intensive pedestrian traffic. Narrative states people will park in the plaza and walk from building to building. In this case, there should be safe pedestrian pathways leading to Building 4 similar to the other buildings in the plaza. Building 4 has less parking in the immediate vicinity than other buildings in the plaza and therefore pedestrian access should be prioritized given the change of use will be more intensive and result in more traffic. Current conditions require pedestrians to walk in drive aisles to reach Building 4.
13. Pursuant ULDR Sec. 47-25.3.A.3.b.iii, Neighborhood Compatibility Requirements; all rooftop mechanical equipment, stair and elevator towers shall be designed as an integral part of the building volume and shall be screened with material that matches the material used for the principal structure and shall be at



least six (6) inches high above the top most surface of the roof mounted structures. Provide the following:

- a. Roof plan indicating the location of all mechanical equipment with spot elevations of the parapet wall and roof as well as mechanical equipment to verify adequate screening;
 - b. Identify the location of equipment on building elevations by outlining the equipment with dash lines; and
 - c. Provide screening product material (for items on roof and ground) including images or pictures of actual application of such.
14. Pursuant ULDR Sec. 47-25.3.A.3.b.iii, Neighborhood Compatibility Requirements; a ten (10) foot landscape strip shall be required along all property lines which are adjacent to residential property. Such landscape strip shall include trees, shrubs and ground cover as provided in the landscape provisions of Section 47-21, Landscape and Tree Preservation Requirements. The width of the landscape area shall extend to the property line. All required landscaping shall be protected from vehicular encroachment. As proposed, the plans show 8-feet from the building with only 6-feet of actual landscaping and encroaching into the existing utility easement – this does not meet code requirements. Please clarify the purpose of the proposed sewage waste line to the open sod landscaping shown in the back of the building on the east side. Note, this area also cannot be utilized for storage or vehicular use.
 15. Pursuant to ULDR Sec. 47-25.3.A.3.b, Neighborhood Compatibility Requirements; Elevations show doors and garage on the east elevation leading to a large landscape area which contains only sod and no trees. Clarify the use of this area.
 16. Sheet SP1 contains notes that state “part of DRC review” which creates confusion with the contents of the current submitted application. Label this sheet accordingly to show existing conditions and not part of this DRC review.
 17. Given the entire existing site is being used for parking calculations yet there are several plats that encompass the site, a data table delineating the square footage of uses by plat is necessary and identify compliance with plat note restrictions for each respective plat (if any). It appears the uses on the “Carosella Plat” do not meet plat note restrictions. Note, if a plat note amendment is needed, a separate application is required, which is reviewed administratively.
 18. Narrative states 31,143 square feet is used for purposes of parking calculation of the new Publix facility, while sheet C-1 shows 32,783 square feet. Clarify the correct square footage for the new structure to be built.
 19. Provide documentation regarding the permissibility of 5% reduction of gross square footage to accommodate for internal mechanical equipment space for each structure on site for purposes of parking calculation. It appears proposed structure is externalizing a majority of the equipment and therefore 5% would not be applicable. Furthermore, the 16 tandem spaces shown in the drive-thrus of the bank (building 3) cannot be counted towards the parking requirement. the project appears not to meet parking requirements at this time and a parking reduction would be necessary.
 20. Provide renderings of proposed Publix building from pedestrian perspective level.
 21. Staff reserves the right to provide additional comments based on applicant’s revised plans and responses

General Comments

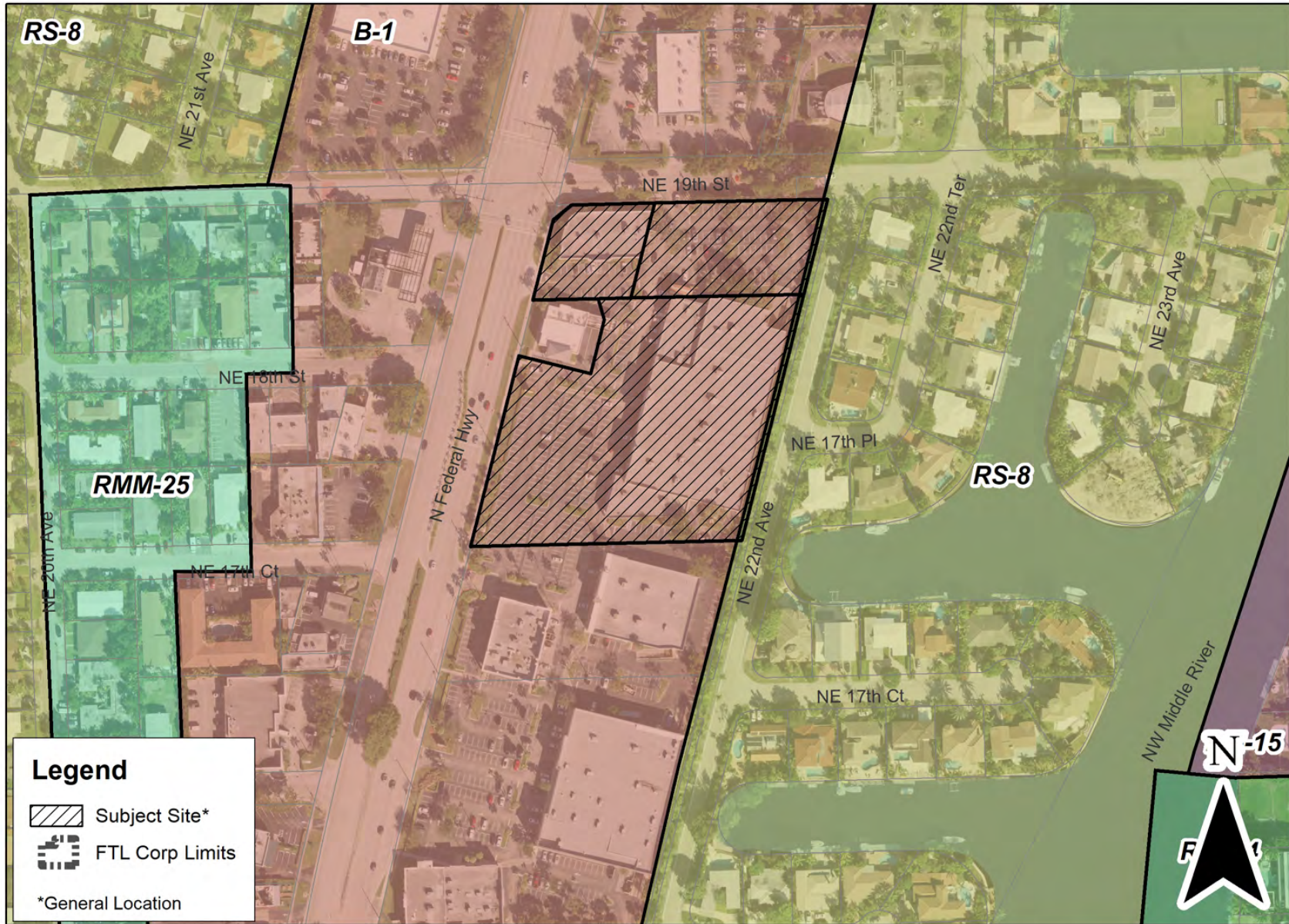
The following comments are for informational purposes.

1. 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 (ccervantes@fortlauderdale.gov) to review project revisions



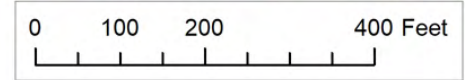
and/or to obtain a signature routing stamp. Please note applicant is responsible for obtaining signatures from all discipline members that had comments and may need to resolve comments through individual appointments if necessary.

2. Pursuant to the State Statute 166.033(1) applications must be deemed approved, approved with conditions, or denied within 120 days, or 180 days for applications subject to a quasi-judicial hearing or a public hearing, unless a mutually agreed upon time extension is established between the City and the applicant. Failure to meet the applicable timeframe or request an extension will result in the application being denied by the City and the applicant will be required to refile a new application and fees to proceed.
3. If a temporary construction/sales trailer is needed for this project, provide the details and location of the trailer on a separate site plan, to avoid additional review in the future. Verify details and location with the Building Representative.
4. All construction activity must comply with Code of Ordinances, Section 24-11, Construction sites. Contact Noel Zamora, Structural Plans Examiner (954-828-5536) to obtain his signature on the final DRC plans.
5. Additional comments may be forthcoming at the DRC meeting. Please provide a written response to all DRC comments.



UDP-S21004

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Graphic Scale