

CITY OF FORT LAUDERDALE

# DEVELOPMENT REVIEW COMMITTEE



## CASE COMMENT REPORT

CASE NO. UDP-S24037



**CITY OF FORT LAUDERDALE**



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### CASE INFORMATION

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<b>CASE:</b>	UDP-S24037
<b>MEETING DATE:</b>	May 28, 2024
<b>REQUEST:</b>	Site Plan Level II Review: Change of Use from 1,509 Square-Foot Retail Use to Restaurant and Bar Use
<b>APPLICANT:</b>	PAL Commercial, LLC.
<b>AGENT:</b>	Gus Carbonell, Architect
<b>PROJECT NAME:</b>	Blue Flamingo Restaurant Coffee Shop Kava Bar
<b>PROPERTY ADDRESS:</b>	1444 NE 4th Avenue
<b>ZONING DISTRICT:</b>	Community Business (CB)
<b>LAND USE:</b>	Commercial
<b>COMMISSION DISTRICT:</b>	2 - Steven Glassman
<b>NEIGHBORHOOD ASSOCIATION:</b>	South Middle River Civic Association
<b>CASE PLANNER:</b>	Yvonne Redding

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### RESUBMITTAL INFORMATION

- Applicant must provide written responses to all DRC comments contained herein.
- Written responses must specify revisions made to the plans and indicate the sheet.
- Resubmitted plan sets must be accompanied by responses to be accepted.
- Any additional documentation must be provided at time of resubmittal.
- Resubmittals must be conducted through the City's online citizen's portal LauderBuild.
- Questions can be directed to the Case Planner assigned to the case.



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**CASE COMMENTS:**

Please provide a response to the following:

1. Specify uses and occupancy classification per Chapter 3 of the 2023 FBC.
2. Show allowable height, allowable number of stories, and allowable area compliance per Chapter 5 of the 2023 FBC.
3. Provide building construction type designation per Chapter 6 of the 2023 FBC.
4. Specify fire-resistance rating requirements based on building separation and construction type per Table 601 and 602 of the 2023 FBC.
5. Provide occupancy loads with compliant life safety egress design per Chapter 10 of the 2023 FBC.
6. Indicate code compliant sprinkler system per Section 903 of the 2023 FBC.
7. Show that the separation distance between exits meet the requirements of section 1007 of the FBC.
8. Reference the Florida Building Code 8th edition on plan for the proposed development.

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

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

1. On December 31st, 2023 the 8th 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:
  - b. <https://www.fortlauderdale.gov/government/departments-a-h/development-services/building-services>
  - c. [https://floridabuilding.org/bc/bc\\_default.aspx](https://floridabuilding.org/bc/bc_default.aspx)
  - d. <http://www.broward.org/codeappeals/pages/default.aspx>

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



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**CASE COMMENTS:**

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

1. Provide 5' permanent Right-of-Way Easement or dedication along south side of NE 15th Street, to complete half of 50' Right-of-Way section. Show / label delineation in the plans.
2. Obtain water and wastewater capacity availability letter.
3. Provide and label FDOT sight triangle (per the most current FDOT Design Standards) on the Site Plan, Landscape Plan, and Civil Plans for the NE 15 Street roadway approach to State Road 811 (NE 4th Avenue).
4. Plans shall denote a stop bar and proper signage at the driveway egress to NE 15 Street per Broward County requirements. Provide Broward County's PMS requirements to the site plan design and the applicable details on the plan set. The PMS shall be approved by Broward County before C.O. and a copy shall be submitted to the City during the final survey process.
5. Trash enclosure: Should dumpster be required to have a drain per ULDR Section 47-19.4.D.7, drain shall be connected to a grease traps, oil / sand separators prior to connection to sanitary public system. Also, the drain shall be protected from stormwater inflow from a 100-year design storm event.
  - a. Show truck turning movements in and out the proposed dumpster enclosure/ building as applicable.
6. Per ULDR Sec. 47-20.13.D - On-site stormwater retention shall be provided in accordance with SFWMD design criteria. In addition please correct the following:
  - a. Sheet C1 of 4 included Pool, deck and porch area values. Please verify that this area is in error. Coordinate area values with sheet SP-1.0
  - b. Sheet C1 of 4 sectional view B2 for the driveway entrance is mislabeled, should be A2. As per sheet C2 of 4.
7. Proposed trees on NE 15 Street shall be installed a min. 6 feet away from adjacent travel lanes when no curb is present.
8. Please note: any public and private improvements shall consider the construction limitation per Code of Ordinance Section 25-7 on all streets, alleys and sidewalks which are under the jurisdiction of the city, as these may be closed for construction for a period not to exceed seventy-two (72) hours.
9. All proposed improvements adjacent and within State Road 811 (NE 4th Avenue) are subject to Florida Department of Transportation (FDOT) review and approval.

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



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**CASE COMMENTS:**

Please provide a response to the following:

1. Change of Use will be evaluated for substantial improvement percentage once applications with job values are submitted. No response required at this time.

**GENERAL COMMENTS**

The following comments are for informational purposes.

1. For further information regarding substantial improvements, please refer to the FEMA Substantial Improvement / Substantial Damage Desk Reference.

[https://www.fema.gov/sites/default/files/documents/fema\\_nfip\\_substantial-improvement-substantial-damage-desk-reference.pdf](https://www.fema.gov/sites/default/files/documents/fema_nfip_substantial-improvement-substantial-damage-desk-reference.pdf)



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**CASE COMMENTS:**

Please provide a response to the following.

1. Provide an existing tree site plan or existing tree site survey illustrating all existing trees and palms, and number each one. Submitted landscape plan (note: no sheet number is listed on plan) does not provide locations of existing trees proposed to be removed, only those that are to remain. Please revise.
2. Provide, in tabular format, all required versus provided landscape calculations, as per ULDR Section 47-21, on landscape plan. This includes, but is not limited to, VUA planting, Street Tree planting, Net Lot area planting, etc.
3. Provide required street trees along the right of way of NE 4 Avenue, as per ULDR 47-21.13. B.16. Street trees are to be a minimum of 12 feet tall and provided at a ratio of one street tree per forty feet of street frontage or greater fraction thereof not subtracting ingress and egress dimensions. Required street trees may be located in a perimeter planting area where this perimeter landscaping area adjoins the street right-of-way, when a planting strip located between the roadway and the property line does not exist or is impractical to provide. However, with removal of existing curb cuts as noted on plans, please investigate planting of street trees in the ROW area.
4. A minimum separation of 6 feet is required between the tree trunk and travel lane when curb and gutter DO NOT exist, and a minimum separation of 4 feet is required between the tree trunk and travel lane when curb and gutter DO exist. Illustrate this clearance.
5. Illustrate and label the horizontal clearance from tree trunk to edge of utility on the landscape plan. Landscaping must provide a minimum horizontal clearance of 5 feet for small trees and palms, and a minimum of 10 feet for large trees and palms from underground utilities.
6. Utilities must be protected using a root barrier fabric wrap or equivalent. Landscape Plans must illustrate and label existing and proposed utilities in the right-of-way to confirm no utility conflicts exist, and illustrate the above setback and wrap requirement if applicable. Provide root barrier fabric wrap detail.
7. Utilities and site amenities such as walkways, flagpoles, transformers, fire hydrants, sewer and water supply lines, trash enclosures, and similar items located on the site shall not be placed adjacent to, in, or under required tree planting areas, as per ULDR Section 47-21.12. Confirm with civil, site and life safety plans that utilities and site amenities are not causing conflicts with proposed landscaping. Where conflicts exist, shift the utility and/or site amenities.
8. In order to improve the appearance of vehicular use areas and to protect and preserve the appearance, character and value of the surrounding neighborhoods, minimum landscape requirements are established for such Vehicular Use Areas. Review ULDR Section 47-21.12 for landscape requirements for vehicular use areas and illustrate such requirements on plans and in landscape calculations table.
9. As per Section 47-21.12. C.1.a. the first twenty-five percent (25%), or fraction thereof, of the required VUA trees shall be shade species with a three and one-half (3 ½) inch minimum trunk caliper and shall be evenly distributed between interior and perimeter landscape areas. The second twenty-five percent (25%), or fraction thereof, of required trees shall be shade species with a two and one-half (2 ½) inch minimum trunk caliper.



10. As per Section 47-21.9.G. Each tree shall have pervious area surrounding it sufficient to support the species, as determined by the department. Shade species with a minimum caliper of three (3) inches, two hundred and twenty-five (225) square feet with fifteen (15) feet being the smallest dimension. Shade species with a minimum caliper of two (2) inches, ninety (90) square feet with eight (8) feet being the smallest dimension.
  - a. Tree planting areas that are reduced in width will require structural soil or a product engineered for root growth under paved areas to provide this root development area.
11. The use of structural soil is required in paved sites to provide adequate soil volumes for tree roots under pavements, as per ULDR Section 47-21.13. Structural soil details and specifications can be obtained at <http://www.hort.cornell.edu/uhi/outreach/index.htm#soil> This is to be provided at a minimum of 8' radii of tree trunks, and is to be consistently illustrated and noted on landscape, site and civil plans.

The structural soil drain is required when percolation rates are less than 4" vertical clearance per hour. Provide documentation of report used to prove this calculation. The drain and connections are to be illustrated on civil plans.

  - a. Demonstrate hashing on landscape, site, and civil plans as to the extent of use of the Structural Soil.
  - b. Provide Structural Soil Detail and composition.
12. A suspension modular paving system product may be used in place of CU Structural Soil. Please look into the use of the Green Blue Urban soil cell, Silva cell or like product for this and all future site developments. Provide a detail of product of use for root development under paved areas.
13. Additional comments may be forthcoming after next review of new plans and written comment responses.

**GENERAL COMMENTS:**

The following comments are for informational purposes. Please consider the following:

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 do not apply for these at time of DRC submittal.
2. Note that tree removal at time of demolition will not be permitted unless the Master Permit for redevelopment has been submitted for review.
3. Proposed landscaping work in the City's right of way requires engineering approval. This approval requires documents to be submitted for Engineering review. Note that Landscape will not approve permit review without these Engineering documents being submitted.
4. Approval from jurisdiction for landscape installation in Right Of Way preferred prior to final DRC sign off but may be provided at time of permit submittal. 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.
5. 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. Entry doors should be solid, impact resistant or metal and should be equipped with a 180-degree view peephole.
2. Sliding glass windows should be impact resistant and equipped with burglary deterrent features such as track blocks, door pins, or similar devices. This includes drive-thru window if applicable.
3. All glazing should be impact resistant.
4. A Video Surveillance System (VSS) should be employed throughout the property with focus on entry/exit points, parking areas, dining area, and cash management area. It should be capable of retrieving an identifiable image of a person.
5. The businesses should be equipped with an intrusion alarm and a silent "Panic" alarm for police response. The alarm system should have battery back-up and or cellular back-up features.
6. Light-reflecting paint should be used in the parking lot to increase visibility and safety.
7. All lighting and landscaping should follow CPTED guidelines.
8. Common area doors and restrooms 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.



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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. Solid Waste charges shall be collected in monthly lease with Sanitation account for property under one name (Commercial).
5. 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.
6. 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).
7. Provide on the site plan a garbage truck turning radius for City review. Indicate how truck will circulate within property.
8. Containers: must comply with 47-19.4
9. 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.
10. Submit a Solid Waste Management Plan on your letterhead containing the name of project, address, DRC case number, number of units if applicable, and indicate whether it is Pre or Final DRC.
  - *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 [Gwoolweaver@fortlauderdale.gov](mailto:Gwoolweaver@fortlauderdale.gov) . The letter should include an analysis of the expected amounts of solid waste and recyclables that will be generated (if different from current capacity), and containers requirements to meet proposed capacity.*
  - *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:

Please provide specific details of solid waste and recycling collection per building



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**CASE COMMENTS:**

1. 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. Properly dimension the parking stall dimensions on the plan sets.
2. Minimum parallel parking stall length per section 47-20.11 shall be 24 feet long. Revise the plans so the minimum length is met.
3. The minimum drive aisle width behind 90 degree back out parking per section 47-20.11 shall be 24 feet wide. Revise the plans so the minimum width is met.
4. All internal circulation and queuing areas must be designed to accommodate the turning radii of the vehicles that will be using the site.
5. Any proposed drainage well, manhole, pull box etc. installed in the sidewalk must be flat, ADA compliant and not impact the effective width of the sidewalk clear path.
6. 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. This includes all access to/from the site entrance. Add the dimension, clearances, and slopes of the walkways.
7. 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.
8. Additional comments may be provided upon further review.

**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.



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**CASE COMMENTS:**

Please provide a response to the following:

1. Pursuant to State Statute 166.033(1) the application must be deemed approved, approved with conditions, or denied within 120 days of completeness determination, on or before *September 1, 2024*, unless a mutually agreed upon time extension is established between the City and the applicant. Please provide a statement requesting and agreeing to a waiver of these timeframes, or request a specified amount of additional time to address the comments and provide sufficient time for review and approval. Failure to meet the applicable timeframe or request an extension may result in the application being denied by the City and the applicant may be required to refile a new application and fees to proceed.
2. The site is designated Commercial on the City's Future Land Use Map. The proposed use is permitted in these designations. This is not a determination on consistency with Comprehensive Plan Goals, Objectives and Policies.
3. The proposed project must be consistent with the latest recorded plat restrictions. Provide a Plat Determination Letter from Broward County Planning Council verifying whether the property needs to be platted or re-platted by following the [Platting Determination Submittal Requirements](#) or contact the Broward County Planning Council, at (954) 357-6695. If a plat note or non-vehicular access line (NVAL) amendment is needed, a separate application is required, which is reviewed administratively and can be found here: [Administrative Review Application](#).
4. Provide information regarding the 586 Square foot covered entry. Is the intent to provide outdoor seating/dining in this area. If so, this will need to be added to your restaurant square footage.
5. Provide truck turning radius template showing refuse and delivery trucks can maneuver the site adequately.
6. Provide the following changes on site plan:
  - a. Ensure parallel parking spaces meet the regulations.
  - b. If any, show proposed fencing along the property lines.
  - c. Indicate height of FPL unit screening and provide detail of materials.
  - d. Indicate all adjacent building footprints, indicating their uses and heights, and dimension approximate setbacks.
  - e. 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.
  - f. 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 the plans where users' accessibility is accommodated for all container areas.
7. Provide the following changes on the roof plans:
  - a. Provide the roof plan and accurately depict the mechanical equipment on the roof.
  - b. Provide a dash line behind the parapet wall showing the location of all the mechanical equipment.
8. 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.



- a. Please email Karen Warfel at [kwarfel@fortlauderdale.gov](mailto:kwarfel@fortlauderdale.gov) for more information on bicycle parking standards and to obtain a copy of the Association of Pedestrian and Bicycle Professionals [APBP] Bicycle Parking Guidelines and Broward County End-of-Trip Bicycle Facility Guide.
9. Staff reserves the right to provide additional comments based on applicant's revised plans and responses. An additional follow-up coordination meeting may be needed to review project changes necessitated by the DRC comments.
10. Provide a preliminary construction staging plan which includes anticipated hours of operation on site, debris mitigation plan, and map indicating where crane operations and employee and/or equipment parking and storage will be placed. A revocable license application and a traffic circulation plan may be required if the sidewalk or right-of-way requires to be closed at any time, which should be filed under a separate application and coordinated through the City's Maintenance of Traffic (MOT) process.

#### **GENERAL COMMENTS**

The following comments are for informational purposes.

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

1. Provide a written response to all DRC comments within 120 days.
2. Please be advised that pursuant to State Statute, Section 166.033, development permits which require a quasi-judicial or public hearing decision, must be completed within 120 days, unless an extension of time is mutually agreed upon between the City and the applicant.
3. For additional information regarding incorporation of wireless capabilities into the project in initial planning stages, please contact the applicable utility provider.
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-S24037 - 1444 NE 4 AVE.

