



## PLANNING & ZONING BOARD (PZB)

### Rezoning Application

(For a rezone only, not tied to a site plan and/or not requiring flexibility units or acreage.)

<b>Cover:</b>	Deadline, Notes, and Fees
<b>Page 1:</b>	Applicant Information Sheet
<b>Page 2:</b>	Applicant Information Sheet, continued
<b>Page 3:</b>	Required Documentation & Mail Notice Requirements
<b>Page 4:</b>	Sign Notification Requirements & Affidavit

**DEADLINE:** Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via e-mail, if plans do not meet the submittal requirements and if changes are required.

**NOTE:** If your development site is separated by any public right-of-way (alley, alley reservation, or ROW easement) you must complete a separate application for each parcel.

**NOTE:** Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, for general project inquiries or to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre-City Commission and Final DRC plans) from all representatives at one time in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-6531 latest by Friday at 12:00 noon prior to the meeting date.

**FEES:** All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

☒ **Rezoning** **\$ 1,010.00**

## Page 1: PZB Rezone - Applicant Information Sheet

**INSTRUCTIONS:** The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

NOTE: To be filled out by Department

Case Number	
Date of complete submittal	

NOTE: For purpose of identification, the PROPERTY OWNER is the APPLICANT

Property Owner's Name	Town Development Co.
Property Owner's Signature	If a signed agent letter is provided, no signature is required on this application by the owner
Address, City, State, Zip	2649 NE 26 PL, Fort Lauderdale FL 33306
E-mail Address	
Phone Number	
Proof of Ownership	<input type="checkbox"/> Warranty Deed or <input checked="" type="checkbox"/> Tax Record

NOTE: If AGENT is to represent OWNER, notarized letter of consent is required

Applicant / Agent's Name	Stephanie Tothaker
Applicant / Agent's Signature	<i>Stephanie Tothaker</i>
Address, City, State, Zip	901 Ponce de Leon Drive, Fort Lauderdale, FL 33301
E-mail Address	stephanie@toothaker.org
Phone Number	954.648.9376
Letter of Consent Submitted	see attached

Development / Project Name	Sherwin Williams on 4th Ave Rezone
Development / Project Address	Existing: 1024 NE 3 AVE New: 1051 & 1071 NE 4th Ave
Legal Description	see sketch & legal attached
Tax ID Folio Numbers (For all parcels in development)	4942 34 04 8471, 4942 34 04 8560
Request / Description of Project	Rezone from Residential Medium RD-15 to Residential Medium
Applicable ULDR Section	47-25.2 & 47-24.4
Total Estimated Cost of Project	\$ (Including land costs)

Future Land Use Designation	Commercial
Proposed Land Use Designation	Commercial
Current Zoning Designation	CB
Proposed Zoning Designation	XP
Current Use of Property	Surface parking lot
Residential SF (and Type)	None
Number of Residential Units	None
Non-Residential SF (and Type)	N/A
Total Bldg. SF (include structured parking)	N/A
Site Adjacent to Waterway	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Dimensional Requirements	Required	Proposed
Lot Size (SF / Acreage)	none	25,084 SF, 0.576 AC
Lot Density	N/A	N/A
Lot Width	none	134.9' x 185.8'
Building Height (Feet / Levels)	150'	N/A
Structure Length	none	N/A
Floor Area Ratio	none	N/A
Lot Coverage	none	N/A
Open Space	none	N/A
Landscape Area	none	N/A
Parking Spaces	59	N/A

NOTE: State north, south, east or west for each yard.

Setbacks/Yards*	Required	Proposed
Front [ N ]	5'	N/A
Side [ E ]	5'	N/A
Side [ W ]	15'	N/A
Rear [ S ]	None	N/A

Updated: 12/10/2015

PZB\_RezoneApp

Page 2: PZB Rezone - Applicant Information Sheet – cont.

**APPLICANT MUST INDICATE:**

Provide a narrative indicating satisfaction of the following:

1. *The zoning district proposed is consistent with the City's Comprehensive Plan.*  
See attached

---

---

---

---

---

---

---

---

---

---

2. *Substantial changes in the character of development in or near the area under consideration supports the proposed rezoning.*  
See attached

---

---

---

---

---

---

---

---

---

---

3. *The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.*  
See attached

---

---

---

---

---

---

---

---

---

---

**All applicable provisions of ULCR Sec. 47-8.20 (Rezoning) shall be satisfied.**

- A. *Application.* Rezoning to an X district may only be initiated by application of the owner(s) of the property proposed to be rezoned and when the property to be rezoned will be used for business uses with the owner of the business property as co-applicant. The application shall include the following:
1. All information required for an application for a site plan level II permit pursuant to [Section 47-24](#), Development Permits and Procedures, and for a rezoning development permit.
  2. Identification of the permitted use or uses proposed for the property to be rezoned.

3. A general vicinity map consisting of an eight and one-half (8½) inch by eleven (11) inch street map at a scale of not less than one (1) inch equals five hundred (500) feet identifying the parcel proposed to be rezoned and, if business is proposed, the business property to which the exclusive use property is to be joined, and all lots located within a seven hundred (700) foot radius of the parcel to be rezoned. The map shall show existing zoning, all residential uses and the heights of all structures in the seven hundred (700) foot area.
4. An area map showing the parcel proposed for rezoning and all new, existing or proposed redevelopment. If the parcel to be rezoned exclusive use is to be used as a parking facility which will serve a particular use, the area map shall show all new, existing or proposed redevelopment on the site which the parking is intended to serve. If the parcel is to be used for a business use, the area map shall show the business property to which the property proposed for exclusive use will be joined.
5. A site plan for the proposed use which shows how the proposed use will meet the performance criteria provided herein including if applicable, elevations, surrounding commercial and residential areas, location and sizes of signs, location of landscaping and other buffers, and vehicular and pedestrian movement between the proposed parcel to be rezoned and the surrounding areas.
6. All studies required to be submitted as provided in this section

Additional property owners who wish to be included in the request, if applicable. Use additional sheets if necessary.				
Name and Signature	Folio Number	Subdivision	Block	Lot



### Page 3: Required Documentation / Mail Notice Requirements

#### One (1) copy of the following documents:

- ☐ Completed application (all pages must be filled out where applicable) Mail notification documents
- ☐ Proof of ownership (warranty deed or tax record), including corporation documents if applicable
- ☐ Property owners signature and/or agent letter signed by the property owner
- ☐ Color photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.
- ☐ One (1) electronic version of complete application and plans in PDF format

#### Two (2) original sets, signed and sealed, of Pre-PZB plans at 24" x 36"

#### Thirteen (13) copy sets, of Pre-PZB half-size scaled plans at 12" x 18"


- ☐ Narrative describing project request. Narratives must be on letterhead, dated, and with author indicated.
- ☐ Narrative quoting all applicable sections of the ULDR, with point-by-point responses of how project complies with such criteria. Narratives must be on letterhead, dated, and with author indicated.
- ☐ Land Use and Zoning maps indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- ☐ Cover sheet on plan set to state project name and table of contents.
- ☐ Current survey(s) of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- ☐ Provide separate sketch and legal description of portion of property to be rezoned (if different than entire site).
- ☐ Most current recorded plat including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave. Note: for Change of Use applications, this is not required.
- ☐ Aerial photo indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.

**Note:** All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.

**Note:** Plans must be bound, stapled and folded to 8 1/2" x 11". All non-plan documents should be 8 1/2" x 11" and stapled or bound.

**Note:** Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details.

**Note:** For examples of project narratives, site plan data tables, and renderings required with your application, please refer to the "Submittal Reference Book" available at the Planning & Zoning Department office.

Applicant's Affidavit		Staff Intake Review	
I acknowledge that the Required Documentation and Technical Specifications of the application are met:		For Urban Design & Planning staff use only:	
Print Name	STEPHANIE TOOTHAKER	Date	_____
Signature		Received By	_____
Date	7/25/19	Tech. Specs Reviewed By	_____
		Case No.	_____

#### MAIL NOTIFICATION

Notice shall be in the form provided by the department and mailed on the date the application is accepted by the department. The names and addresses of homeowner associations shall be those on file with the City Clerk).

- **REQUIREMENT:** Mail notice of development proposal shall be provided to real property owners within 300 feet of applicant's property, as listed in the most recent ad valorem tax records of Broward County.
- **TAX MAP:** Applicant shall provide a tax map of all property within the required notification radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
- **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owners notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required notification radius. The list shall also include all homeowners associations, condominium associations, municipalities and counties, as indicated on the tax roll.
- **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required notification radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. Indicate the following as the return address on all envelopes: City of Fort Lauderdale, Urban Design & Planning, 700 NW 19<sup>th</sup> Avenue, Fort Lauderdale, FL 33311.

- 
- **DISTRIBUTION**: The City of Fort Lauderdale, Urban Design & Planning will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.

Updated: 12/10/2015

PZB\_RezoneApp

## Page 4: Sign Notification Requirements and Affidavit

### SIGN NOTICE

Applicant must **POST SIGNS** (for Planning and Zoning Board and City Commission Hearings) according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

### AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA  
BROWARD COUNTY

RE: \_\_\_\_\_  
\_\_\_\_\_ BOARD OF ADJUSTMENT  
\_\_\_\_\_ HISTORIC PRESERVATION BOARD  
\_\_\_\_\_ PLANNING AND ZONING BOARD  
\_\_\_\_\_ CITY COMMISSION

CASE NO. \_\_\_\_\_

APPLICANT: \_\_\_\_\_

PROPERTY: \_\_\_\_\_

PUBLIC HEARING DATE: \_\_\_\_\_

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above-cited City of Fort Lauderdale Board or Commission Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the Board or Commission.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least **fifteen (15)** days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the Board or Commission. **Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.**
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office **five (5)** calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

\_\_\_\_\_  
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

(SEAL)

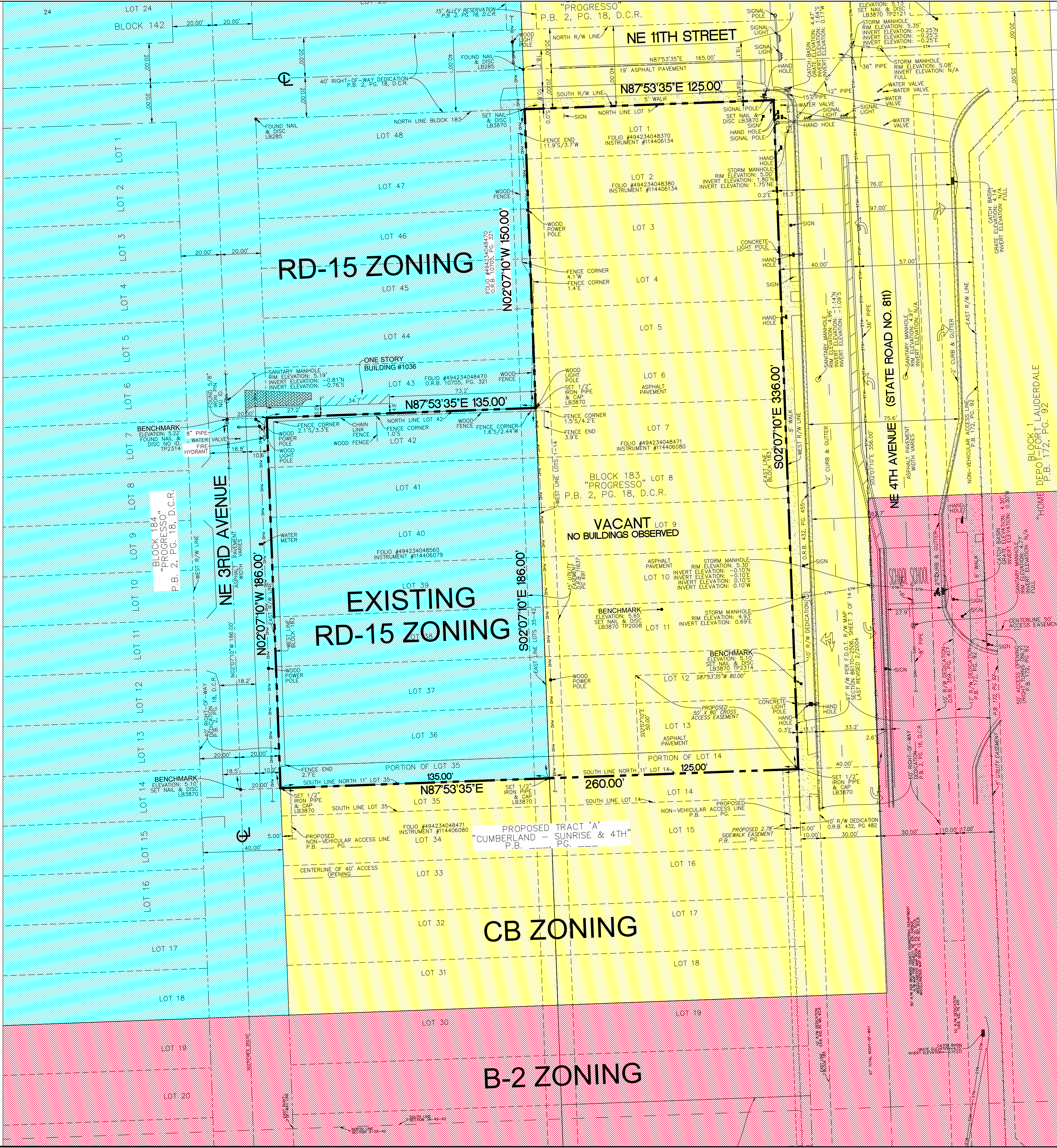
\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3 of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. \_\_\_\_\_ (Initial here)

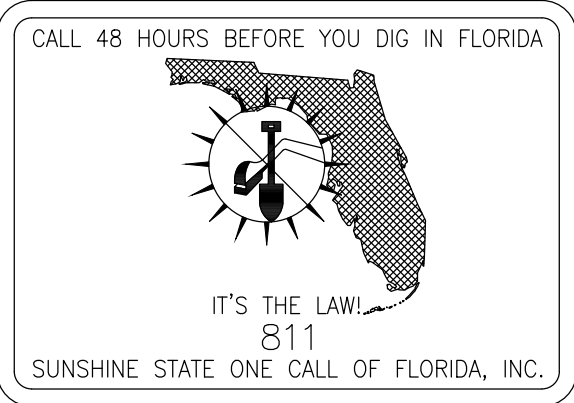
\_\_\_\_\_  
Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)



Oct 22, 2019 - 12:24pm



- CB ZONING
- RD-15 ZONING
- B-2 ZONING



**FLYNN ENGINEERING**  
241 COMMERCIAL BLVD., LAUDERDALE-BY-THE-SEA, FL 33308  
PHONE: (954) 522-1004 | WWW.FLYNNENGINEERING.COM  
E# 6578

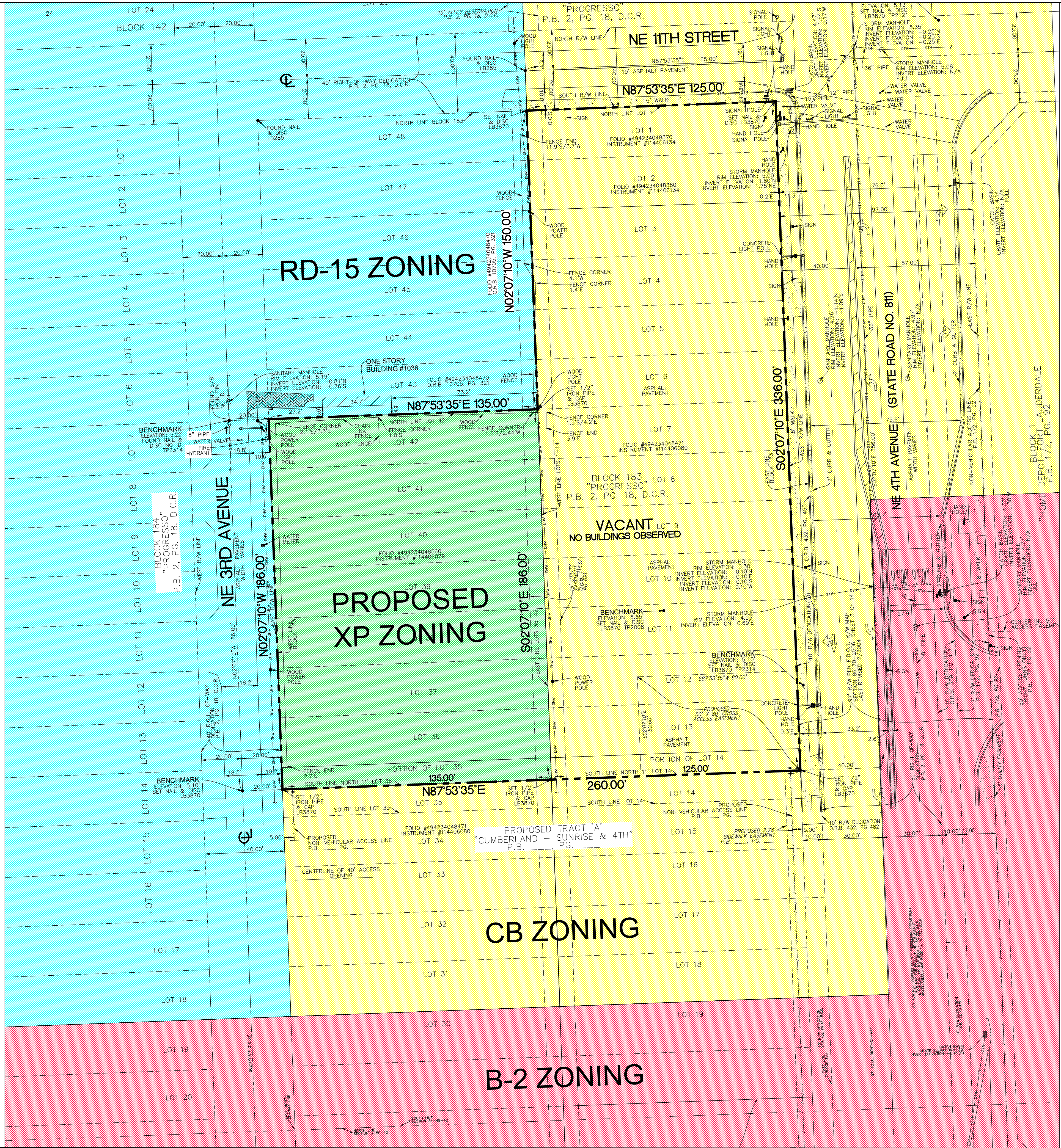
Sheet Title  
**EXISTING ZONING**

Job Title  
**SHERWIN WILLIAMS ON 4TH AVE REZONE**  
1051 107 NE 4TH AVE, FORT LAUDERDALE FL

Phase: PZB DOCUMENTS			
Revisions			
Scale: 1"= 25.0'	Date: 10/22/19		
Job No. 19-1523.00	Plot Date: 10/22/19	Sheet No.	
Drawn by MDI		<b>X-1</b>	
Proj Mgr. DTR			
Appr. by JMF		1 of 2	



Oct 22, 2019 - 12:23pm



LOCATION MAP  
NTS

SUBJECT LOCATION

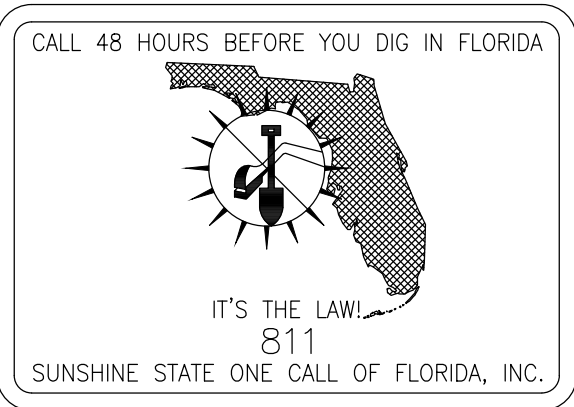


CB ZONING

RD-15 ZONING

B-2 ZONING

XP ZONING



Sheet Title

PROPOSED ZONING

Job Title

SHERWIN WILLIAMS ON 4TH AVE  
REZONE

1051 107 NE 4TH AVE, FORT LAUDERDALE FL

Phase:

PZB  
DOCUMENTS

Revisions

Scale:	Date:
1"= 25.0'	10/22/19
Job No.	Plot Date:
19-1523.00	10/22/19
Drawn by	Sheet No.
MDI	X-2
Proj Mgr.	
DTR	
Appr. by	2 of 2
JMF	



M.D. 0-12



**SKETCH AND LEGAL DESCRIPTION**  
BY  
**PULICE LAND SURVEYORS, INC.**  
5381 NOB HILL ROAD  
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778  
E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870

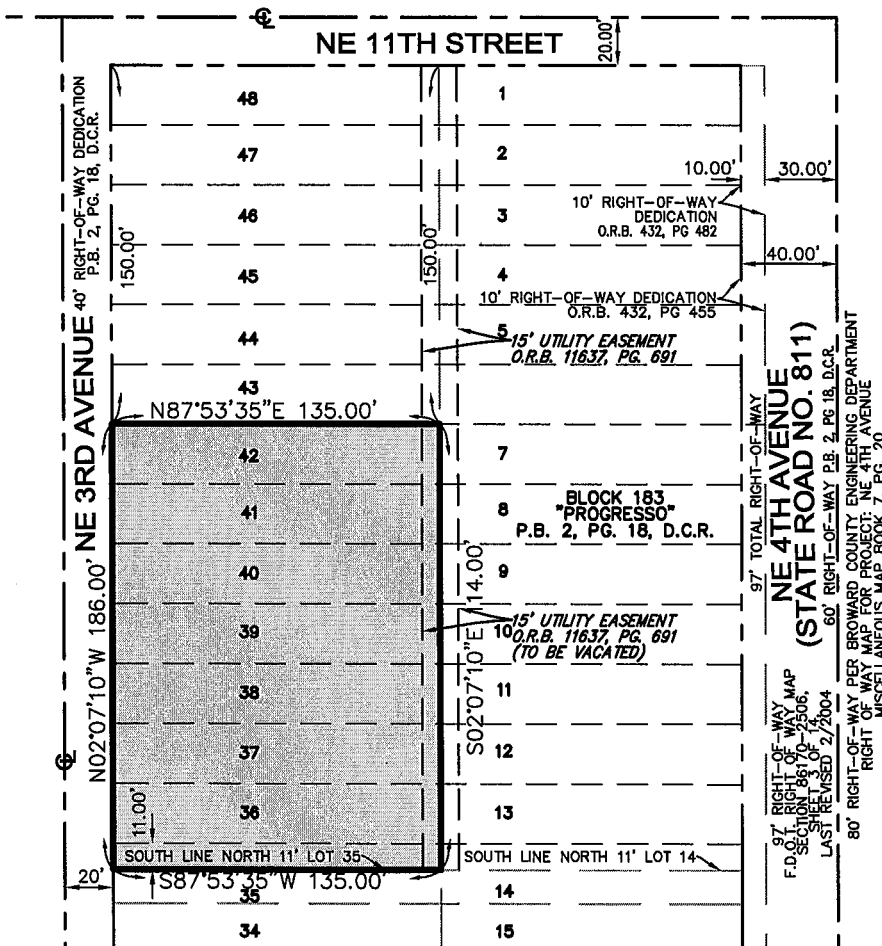


**LEGAL DESCRIPTION:**

THE NORTH 11.00 FEET OF LOT 35 AND ALL OF LOTS 36 THROUGH 42, INCLUSIVE, IN BLOCK 183 OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 25,110 SQUARE FEET (0.5764 ACRES) MORE OR LESS.

REZONING FROM RESIDENTIAL SINGLE FAMILY AND DUPLEX/MEDIUM DENSITY (RD 15) TO PARKING LOT (X-P).



**NOTES:**

- 1) BEARINGS ARE BASED ON AN ASSUMED MERIDIAN FOR THE EAST RIGHT-OF-WAY LINE OF NE 3RD AVENUE BEING N02°07'10"W.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) ALL RECORDED DOCUMENTS ARE PER THE PUBLIC RECORDS OF BROWARD COUNTY, UNLESS OTHERWISE NOTED.

**LEGEND:**

- CENTERLINE
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- PG. PAGE
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
- D.C.R. MIAMI-DADE COUNTY RECORDS

**FILE: PLAZA STREET PARTNERS**

**SCALE: 1"=80' DRAWN BY: B.E.**

**ORDER NO.: 66258**

**DATE: 08/08/19**

**REZONING EXHIBIT**

**FORT LAUDERDALE, BROWARD COUNTY, FLORIDA**

**FOR: SHERWIN WILLIAMS**

☒ JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691  
☐ BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136  
☐ VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274  
 STATE OF FLORIDA



November 7, 2019

City of Fort Lauderdale  
Office of the City Clerk  
100 N. Andrews Avenue, 7th Floor  
Fort Lauderdale, FL 33301

**Re: Authorization Letter**

To Whom it May Concern:


Please accept this letter of authorization permitting Stephanie J. Toothaker, Esq. of Stephanie J. Toothaker, Esq., P.A. (toothaker.org) to represent the interests of **Town Development Co.** in connection with permitting in the City of Fort Lauderdale.

Sincerely,

STATE OF FLORIDA  
COUNTY OF Broward

Sworn to (or affirmed) and subscribed before me this 7<sup>th</sup> day of Nov., 2019, by \_\_\_\_\_



  
Signature of Notary

Mark Irwin  
Print name of Notary

Personally Known ☒ (OR) Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



3000 N. FEDERAL HWY. 1A  
FT. LAUDERDALE, FL. 33306 USA

PHONE 954.565.0355

EMAIL INFO@TOWNFLORIDA.COM

SITE TOWNFLORIDA.COM



2400 W. 75<sup>th</sup> St, Suite 220  
Prairie Village, KS 66208

City of Fort Lauderdale  
Office of the City Clerk  
100 N. Andrews Avenue, 7<sup>th</sup> Floor  
Fort Lauderdale, FL 33301

July 30, 2019

Re: Authorization Letter

To Whom it May Concern:

Please accept this letter of authorization permitting Stephanie J. Toothaker, Esq. of Stephanie J. Toothaker, Esq., P.A. (toothaker.org) to represent the interests of Plaza Street Partners, LLC in connection with permitting in the City of Fort Lauderdale.

Sincerely,

Bret A. Elliott  
President

STATE OF MISSOURI

COUNTY OF JACKSON

Sworn to (or affirmed) and subscribed before me this 30<sup>th</sup> day of JULY, 2019, by BRET A. ELLIOTT

Signature of Notary

RYANNE N. SASS

Print name of Notary



Personally Known X (OR) Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

[www.plazastreetpartners.com](http://www.plazastreetpartners.com)





## SUSTAINABLE DEVELOPMENT – URBAN DESIGN & PLANNING

### PLANNING & ZONING BOARD (PZB) SITE PLAN APPLICATION

Rev: 1 | Revision Date: 2/23/2017 | Print Date: 2/23/2017  
I.D. Number: SPA

#### PLANNING & ZONING BOARD (PZB)

##### Site Plan Application

**Cover:** Deadline, Notes, and Fees  
**Page 1:** Applicant Information Sheet  
**Page 2:** Required Documentation / Submittal Checklist  
**Page 3:** Sign Notification Requirements & Affidavit  
**Addendum:** PZB Rezone with Flex Allocation <<if applicable>>  
**Addendum:** Parking Reduction Information <<if applicable>>

**DEADLINE:** Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via email, if plans do not meet the submittal requirements and if changes are required.

**NOTE:** If your development site is separated by any public right-of-way (alley, alley reservation, or ROW easement) you must complete a separate application for each parcel.

**NOTE:** Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, for general project inquiries or to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre-City Commission and Final DRC plans) from all representatives at one time in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-6531 latest by Friday at 12:00 noon prior to the meeting date.

**FEES:** All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

<input type="checkbox"/> Innovative Development (ID)	\$ 7,580.00
<input checked="" type="checkbox"/> Site Plan Level IV	\$ 2,730.00
<input type="checkbox"/> Site Plan Level III	\$ 2,110.00
<input type="checkbox"/> Change of Use Requiring PZB review	\$ 550.00
<input type="checkbox"/> Parking Reduction In addition to above site plan fee	\$ 750.00
<input type="checkbox"/> Site Plan Deferral	\$ 510.00
<input type="checkbox"/> Appeal of DRC Review	\$ 950.00

Page 1 of 1

Approval by: Ella Parker, Urban Design & Planning Manager  
Uncontrolled in hard copy unless otherwise marked

Updated: 3/20/2015



## Page 1: P2B Site Plan - Applicant Information Sheet

**INSTRUCTIONS:** The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

NOTE: To be filled out by Department

Case Number	
Date of complete submittal	

NOTE: For purpose of identification, the PROPERTY OWNER is the APPLICANT

Property Owner's Name	Town Development Co.
Property Owner's Signature	<i>[Signature]</i>
Address, City, State, Zip	2649 NE 26 PL, Fort Lauderdale FL 33306
E-mail Address	
Phone Number	
Proof of Ownership	<input type="checkbox"/> Warranty Deed or <input checked="" type="checkbox"/> Tax Record

NOTE: If AGENT is to represent OWNER, notarized letter of consent is required

Applicant / Agent's Name	Stephanie Toothaker, Esq.
Applicant / Agent's Signature	<i>[Signature]</i>
Address, City, State, Zip	401 E. Las Olas Boulevard, Suite 130-154, Fort Lauderdale, FL 33301
E-mail Address	stephanie@toothaker.org
Phone Number	954.648.9376
Letter of Consent Submitted	See attached

Development / Project Name	Sherwin Williams on NE 4th Ave
Development / Project Address	Existing: multiple: New: 1051,1071 NE 4th Ave
Legal Description	See attached
Tax ID Folio Numbers (For all parcels in development)	4942 34 04 8370, 4942 34 04 8380, 4942 34 04 8471, 4942 34 04 8560
Request / Description of Project	14,200 SF of commercial space
Applicable ULDR Sections	
Total Estimated Cost of Project	\$ (including land costs)

NOTE: Park impact fees are assessed and collected at time of permit per each new hotel room and dwelling unit type.

Estimated Park Impact Fee	\$ N/A	Fee Calculator: <a href="http://ci.fllaud.fl.us/building_services/park_impact_fee_calc.htm">http://ci.fllaud.fl.us/building_services/park_impact_fee_calc.htm</a>
Future Land Use Designation	Commercial and Residential	
Proposed Land Use Designation	Commercial and Residential	
Current Zoning Designation	CB & RD-15	
Proposed Zoning Designation	CB & XP	
Current Use of Property	Parking Lot	
Residential SF (and Type)	None	
Number of Residential Units	None	
Non-Residential SF (and Type)	14,200 SF -- Retail	
Total Bldg. SF (include structured parking)	14,200 SF	
Site Adjacent to Waterway	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Dimensional Requirements	Required	Proposed
Lot Size (SF / Acreage)	None	67,067 SF / 1.54 AC
Lot Density	None	N/A
Lot Width	None	Varies
Building Height (Feet / Levels)	None	A:30', B:28'
Structure Length	None	A:51.3' x 130.9', B:80' x 95'
Floor Area Ratio	None	0.21
Lot Coverage	None	14,200 SF ( 21.2%)
Open Space	None	21,814 SF ( 32.5%)
Landscape Area	None	13,202 SF ( 19.7%)
Parking Spaces	57	60

NOTE: State north, south, east or west for each yard.

Setbacks/Yards*	Required	Proposed
Front <input type="checkbox"/> N <input type="checkbox"/>	5.0'	16.0'
Side <input type="checkbox"/> E <input type="checkbox"/>	5.0'	14.0'
Side <input type="checkbox"/> W <input type="checkbox"/>	15.0'	60.2'
Rear <input type="checkbox"/> S <input type="checkbox"/>	NONE	50.0'

Updated: 3/20/2015

P2B\_SitePlanApp

**Page 2: Required Documentation / Submittal Checklist**

**One (1) copy of the following documents:**

- ☐ Original Pre-PZB signed-off set of plans and all supplemental documentation (ie. narratives, photos, etc.)
- ☐ Completed application (all pages must be filled out where applicable)
- ☐ One (1) electronic version of complete application and plans in PDF format

**Two (2) original sets, signed and sealed, of Pre-PZB plans at 24" x 36"**

**Thirteen (13) copy sets, of Pre-PZB half-size scaled plans at 12" x 18"**

- ☐ **Narrative** describing project specifics, to include but not be limited to: architectural style and important design elements, trash disposal system, security/gating system, hours of operation, dock facilities, etc. Narratives must be on letterhead, dated, and with author indicated.
- ☐ **Narrative** quoting all applicable sections of the ULDR, with point-by-point responses of how project complies with such criteria. Narratives must be on letterhead, dated, and with author indicated.
- ☐ **Land Use and Zoning maps** indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- ☐ **Cover sheet** on plan set to state project name and table of contents.
- ☐ **Current survey(s)** of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- ☐ **Most current recorded plat** including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave. **Note: for Change of Use applications, this is not required.**
- ☐ **Aerial photo** indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- ☐ **Plans "A" thru "H". Note, for Change of Use applications, items asterisked (\*) are only required if proposed changes affect these plans. Otherwise, these items should be obtained from Property Records if showing current conditions.**
  - A. Site Plan
  - B. Details\*
  - C. Floor Plans
  - D. Building Elevations\*
  - E. Additional Renderings\*
  - F. Landscape Plans\*
  - G. Photometric Diagram\*
  - H. Engineering Plans\*

**Note:** All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.

**Note:** Plans must be bound, stapled and folded to 8 1/2" x 11". All non-plan documents should be 8 1/2" x 11" and stapled or bound.

**Note:** Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details.

**Note:** For examples of project narratives, site plan data tables, and renderings required with your application, please refer to the "Submittal Reference Book" available at Urban Design & Planning.

<b>Applicant's Affidavit</b>	<b>Staff Intake Review</b>
I acknowledge that the Required Documentation and Technical Specifications of the application are met:	For Urban Design & Planning staff use only:
Print Name <u>Stephanie Toothaker, Esq.</u>	Date _____
Signature 	Received By _____
Date <u>11/8/2019</u>	Tech. Specs Reviewed By _____
	Case No. _____

July 25, 2019  
Revised December 9, 2019

**DRC – Project Overview**  
**Sherwin Williams on NE 4th Ave**  
**1051, 1071 NE 4th Avenue, Fort Lauderdale FL**

This project is generally located within a portion of the block bounded by NE 4<sup>th</sup> Avenue to the east, NE 3<sup>rd</sup> Avenue to the west and NE 11<sup>th</sup> Street to the north. The scope of the project includes a rezoning request for the western half of the property abutting NE 3<sup>rd</sup> Avenue from the existing zoning designation of RD-15 to a proposed designation of XP and site plan request for 14,200 square feet of retail space divided between two single story buildings fronting NE 4<sup>th</sup> Ave.

Parking for the project is included within the the surface parking lot to the rear of the buildings. Loading and solid waste collection will both occur on-site within the area between the two buildings.

The NE 11<sup>th</sup> Street right of way will provide a 5' right-of-way easement to satisfy City Engineering Department requirements. Also, a 25' corner chord at NE 11<sup>th</sup> Street and NE 4<sup>th</sup> Avenue will be provided to satisfy Broward County & FDOT requirements.

Respectfully,

*/s/ Stephanie J. Toothaker*  
Stephanie J. Toothaker, Esq.

**Stephanie J. Toothaker, Esq.**

land use development political strategy procurement

**Stephanie J. Toothaker, Esq., PA** 954.648.9376 [stephanie@toothaker.org](mailto:stephanie@toothaker.org) [@stoothaker](https://twitter.com/stoothaker) [@toothakerdevelopment](https://www.instagram.com/toothakerdevelopment)  
401 E Las Olas Blvd, Suite 130-154 Fort Lauderdale, FL 33301



October 1, 2019  
Revised December 9, 2019

**VIA HAND DELIVERY & ELECTRONIC SUBMISSION**

Development Review Committee  
Department of Sustainable Development  
Urban Design & Planning Division  
City of Fort Lauderdale  
700 N.W. 19th Avenue  
Fort Lauderdale, FL 33311

**Re: Sherwin Williams on 4th Ave – NE 4th Avenue, Fort Lauderdale, FL  
X-Exclusive Use District Rezoning and Commercial Flex Acreage Narrative**

Dear Development Review Committee:

I represent Town Development, Co. (the "Applicant"), owner of the real property generally located within a portion of the block bounded by NE 4th Avenue to the east, NE 3rd Avenue to the west and NE 11th Street to the north at 1051 and 1071 NE 4th Avenue, Fort Lauderdale, FL 33304 (the "Property"). Applicant requests a rezoning approval for a change to the existing portion of property zoned Residential Single Family and Duplex/Medium Density ("RD-15") to Exclusive Use for Parking Lot ("X-P") with commercial flex allocation in order to accommodate the parking for the proposed 14,200 square foot retail uses and buffer the adjacent residential uses. Please see a detailed description below demonstrating that the rezoning request and use of commercial flex acreage comply with the City of Fort Lauderdale's Unified Land Development Regulations ("ULDR") and Comprehensive Plan.

**UNIFIED LAND DEVELOPMENT REGULATIONS ANALYSIS**

The proposed rezoning and commercial flex allocation is subject to the following sections of the ULDR pursuant to ULDR, Sec. 47-24, Development Review and Procedures:

- |                 |  |
|-----------------|--|
| 1. Sec. 47-9.2  | Conditions for Rezoning                  |
| 2. Sec. 47-9.20 | Rezoning                                 |
| 3. Sec. 47-9.21 | Performance Standards for Permitted Uses |
| 4. Sec. 47-24.4 | Rezoning Criteria                        |
| 5. Sec. 47-25.2 | Adequacy Requirements                    |
| 6. Sec. 47-28   | Flexibility Rules                        |

**1. SEC. 47-9.2 – CONDITIONS FOR REZONING**

A. *The rezoning of property to an X district for a specified permitted use or uses shall meet all the following conditions:*

1. *The property is not zoned RS-4.4, RS-8 or RC-15 except as follows:*
  - a. *Property which is zoned RS-4.4, RS-8 or RC-15 which was legally permitted to be used as a parking lot prior to the effective date (June 28, 1997) of the ULDR and served a nonresidential use or a use which had been permitted in R-1, R-2, R-3 and R-4 districts prior to the effective date (June 28, 1997) of the ULDR but is no longer permitted in RS-4.4, RS-8 or RC-15 may apply to be rezoned to exclusive use parking lot. All conditions*

**Stephanie J. Toothaker, Esq.**

land use development political strategy procurement

**Stephanie J. Toothaker, Esq., PA** 954.648.9376 stephanie@toothaker.org @stoothaker @toothakerdevelopment  
401 E Las Olas Blvd, Suite 130-154 Fort Lauderdale, FL 33301

for rezoning to exclusive use parking lots as provided herein must be met except as follows:

- i. *Parking lots which served a use which was permitted to be located in an R-1, R-2 or R-3-B zoning district on October 1, 1996 which is no longer a permitted use in RS-4.4, RS-8 and RC-15 will not be required to meet the conditions provided in subsections A.5, 6 and 7*
- b. *Property which is zoned RS-8 or RC-15 and abuts a right-of-way greater than 20 feet in width may apply for rezoning to Exclusive Use Parking Lot/Residential (X-P-R) or Exclusive Use Parking Garage/Residential (X-G-R), with required residential units, subject to the provisions of Section 47-9.21.F.*

**Response: The portion of the Property requested to be rezoned to X-P is currently designated RD-15.**

2. *The property is in an area with available commercial flexibility acreage pursuant to the comprehensive plan and flex acreage is allocated pursuant to Section 47-28, Flexibility Rules, as part of the rezoning.*

**Response: The Property is in an area with available commercial flexibility acreage. Currently, there are 518.47 acres available for commercial flex use. The area to be rezoned is 0.57 acres and, if approved, 517.9 acres of commercial flex will remain for commercial flex allocation. The proposed rezoning complies with the requirements for commercial flex allocation.**

3. *If the property is contiguous to property which has already been granted commercial flexibility in accordance with the comprehensive plan, the total acreage of the contiguous property previously approved for commercial flexibility and the total acreage of the property proposed for exclusive use shall not exceed ten acres.*

**Response: Approximately 0.3533 acres directly abutting the southern boundary of the Property was rezoned from RD-15 to Community Business ("CB") with commercial flex allocation per Ordinance No. C-19-09. The total acreage of the property proposed for X-P is approximately 0.57 acres. Therefore, the total acreage between the contiguous property previously approved for commercial flexibility and the proposed portion for X-P use does not exceed ten acres.**

4. *The property is designated for residential use on the LUP.*

**Response: The parcel proposed to be rezoned to X-P is designated as Residential Medium on the Future Land Use Plan.**

5. *The property proposed for exclusive use abuts or is separated by a right-of-way no greater than 20 feet in width from business property as defined in Section 47-35, Definitions, which has a front yard abutting a street.*

**Response: The parcel proposed to be rezoned to X-P will accommodate parking for the adjacent proposed 14,200 square foot retail space that is divided between two single story buildings fronting NE 4th Avenue.**

6. *The property proposed for exclusive use and business property must share at least 50 feet of the same property line or if separated by an alley, at least 50 feet of a property line of the exclusive use property is parallel to a property line of business property.*

**Response: The parcel proposed to be rezoned to X-P parcel shares a property line greater than 50 feet with the adjacent CB zoned parcel proposed to accommodate the proposed retail uses.**

7. Property proposed to be zoned exclusive use shall extend no more than one hundred eighty (180) feet into a residentially zoned district, except property located on the north side of Sunrise Boulevard, between the Florida East Coast Railway and Powerline Road, may extend no more than 500 feet into a residentially zoned district, but in no case shall the exclusive use zoning in this area go north of the south right-of-way line of N.E. and N.W. 11th Street.

**Response: The parcel proposed to be zoned to X-P does not extend more than 180 feet into a residentially zoned district.**

8. *An application which meets the requirements of this section is submitted by the owner of the property to be rezoned and is approved by the city commission.*

**Response: Acknowledged.**

9. *If the property proposed for exclusive use is to be used for business use as provided in Section 47-9.10 in addition to the above, the property proposed for exclusive use and business property described in subsection A.5 must be submitted as a single site plan and the owner of the business property must join in the application for rezoning of the proposed exclusive use property.*

**Response: The parcel proposed to be zoned to X-P will be used as parking lot for the adjacent proposed 14,200 square feet retail space that is divided between two single story buildings fronting NE 4th Avenue.**

10. *Property located within the following described area may not be rezoned to exclusive use for a period ending June 30, 1998 unless sooner terminated by ordinance adopted by the city commission: The area bounded on the east by Federal Highway, the west by the Florida East Coast Railway, the north by Tarpon River and the south by State Road 84.*

**Response: N/A.**

## **2. SEC. 47-9.20 – REZONING**

- A. *Application. Rezoning to an X district may only be initiated by application of the owner(s) of the property proposed to be rezoned and when the property to be rezoned will be used for business uses with the owner of the business property as co-applicant. The application shall include the following:*

1. *All information required for an application for a site plan level II permit pursuant to Section 47-24, Development Permits and Procedures, and for a rezoning development permit.*

**Response: Acknowledged and will comply.**

2. *Identification of the permitted use or uses proposed for the property to be rezoned.*

**Response: The parcel proposed to be rezoned to X-P will only accommodate parking for the adjacent proposed 14,200 square feet retail space divided between two single story buildings fronting NE 4th Avenue.**

3. *A general vicinity map consisting of an eight and one-half (8½) inch by 11 inch street map at a scale of not less than one inch equals 500 feet identifying the parcel proposed to be rezoned and, if business is proposed, the business property to which the exclusive use property is to be joined, and all lots located within a 700 foot radius of the parcel to be rezoned. The map shall show existing zoning, all residential uses and the heights of all structures in the 700-foot area.*

**Response: Please see the existing zoning and proposed zoning exhibits provided with this submittal.**

4. *An area map showing the parcel proposed for rezoning and all new, existing or proposed redevelopment. If the parcel to be rezoned exclusive use is to be used as a parking facility which will serve a particular use, the area map shall show all new, existing or proposed redevelopment on the site which the parking is intended to serve. If the parcel is to be used for a business use, the area map shall show the business property to which the property proposed for exclusive use will be joined.*

**Response: The parcel is to be used as a parking lot for the adjacent retail uses proposed in the associated Site Plan. Please see the exhibit provided with this submittal.**

5. *A site plan for the proposed use which shows how the proposed use will meet the performance criteria provided herein including if applicable, elevations, surrounding commercial and residential areas, location and sizes of signs, location of landscaping and other buffers, and vehicular and pedestrian movement between the proposed parcel to be rezoned and the surrounding areas.*

**Response: Please see the Site Plan depicting the proposed X-P use and demonstrating compliance with the applicable X-P criteria.**

6. *All studies required to be submitted as provided in this section.*

**Response: Please refer to the plan set provided with this submittal.**

- B. *The review process for a rezoning to exclusive use shall be as provided in Section 47-24.4 and shall include a site plan review as part of the rezoning review.*

**Response: Acknowledged. A Site Plan has been provided with this submittal.**

- C. *Criteria. In addition to the criteria provided for a rezoning approval, the following criteria shall apply:*

1. *The proposed site and use meet the conditions and performance criteria provided in this section.*

**Response: The proposed site and use meet the conditions and performance criteria provided Sections 47-9.2 and Section 47-9.21.**

2. *The height, bulk, shadow, mass and design of any structure located on the site is compatible with surrounding properties and is consistent with the goals and objectives for the location of the property as provided in the comprehensive plan.*

**Response: The parcel proposed to be rezoned to X-P will accommodate parking for the adjacent CB-zoned parcel proposed to accommodate 14,200 square feet of retail space that is divided between two single story buildings fronting NE 4th Avenue.**



3. *If the application is for rezoning to exclusive use district/business, the city commission may include conditions on the business property which are a part of the application in addition to the conditions on the property proposed to be rezoned to exclusive use. All such conditions shall relate to the preservation of the character and integrity of the neighboring property and mitigate adverse impacts which arise in connection with the approval of the rezoning. Conditions for approval may relate to any aspect of the site plan including the property proposed to be rezoned and the business property, including but not limited to height, bulk, shadow, mass and design of any structure and parking and landscaping requirements.*

**Response: Acknowledged.**

**3. SEC. 47-9.21 – PERFORMANCE STANDARDS FOR PERMITTED USES.**

- A. *Applicability. The design and performance standards shall apply to the uses identified herein and such uses shall comply with the performance standards as a condition for approval of an X district.*

**Response: Acknowledged.**

- B. *Parking lot. The following performance standards shall apply to parking lots.*

1. *Parking lots must meet the requirements for parking lots provided in Section 47-20, Parking and Loading Requirements.*

**Response: Acknowledged and will comply. Please refer to the plan set provided with this submittal.**

2. *Access.*

- a. *Pedestrian. When a parking lot parcel does not abut the parcel which it is intended to serve the principal pedestrian access to the X district property shall be along a safe pedestrian path as defined in Section 47-20.4, from the uses it is intended to serve. Off-site public pedestrian amenities may be required as a condition to rezoning in order to provide a safe pedestrian path.*

**Response: N/A**

- b. *Vehicular. Shall comply with Section 47-20, Parking and Loading Requirements.*

**Response: Acknowledged and will comply.**

3. *Landscape and bufferyards. A parking lot shall comply with the landscape and buffering provisions of Section 47-21, Landscape and Tree Preservation Requirements, and Section 47-25.3, Development Review Criteria, for parking lots. Parking lots which are part of an X-P-OR or X-P-R rezoning shall be required to meet the provisions of subsection E or F as applicable.*

**Response: The proposed parking lot is part of an X-P rezoning. The project complies with required landscape and bufferyards. Please refer to the plan set provided with this submittal.**

4. *Lighting. Lighting of a parking lot shall comply with the requirements of Section 47-20, Parking and Loading Requirements.*

**Response: Acknowledged and complies. Please refer to the plan set provided with this submittal.**

5. *Noise. Noise levels shall conform to the performance standards provided in Section 47-9.22. B.*

**Response: Acknowledged and will comply.**

6. *Signage. Signage shall comply with the requirements in Section 47-22, Sign Requirements.*

**Response: Acknowledged and will comply.**

7. *Pedestrian enhancements shall be provided in accordance with Section 47-9.22. C.*

**Response: The parcel to be rezoned to X-P abuts NE 3<sup>rd</sup> Avenue. A 5' wide sidewalk has been provided along NE 3rd Avenue to match the DRC approved Cumberland Farms property to the south. Please refer to the plan set provided with this submittal.**

8. *Waterway use. When located on a waterway, a parking lot shall be required to meet the requirements of Section 47-23.8, Waterway Use.*

**Response: N/A**

9. *Lighting. Lighting shall comply with the requirements of Section 47-20, Parking and Loading Requirements.*

**Response: Lighting will comply with the requirements of Section 47-20, Parking and Loading Requirements. Please refer to the plan set provided with this submittal.**

#### **4. SEC. 47-24.4 – REZONING CRITERIA**

- B. *Application. An application for a rezoning shall be made to the department. The application shall include the information provided in Sec. 47-24.1. F.*

**Response: Acknowledged.**

- C. *Review process.*

1. *An application for rezoning shall be submitted to the department for review to consider if the application meets the rezoning criteria.*
2. *The department shall forward its recommendations to the planning and zoning board for consideration.*
3. *The planning and zoning board shall hold a public hearing to consider the application and the record and recommendations forwarded by the department and shall hear public comment on the application.*
4. *If the planning and zoning board determines that the application meets the criteria as provided in this section, the planning and zoning board shall recommend that the rezoning be approved or recommend a rezoning to a more restrictive zoning district than that requested in the application if necessary to ensure compliance with the criteria for the rezoning and if consented to by the applicant.*

5. *If the planning and zoning board determines that the application does not meet the criteria provided for rezoning or if the applicant does not consent to a more restrictive zoning district, the planning and zoning board shall deny the application and an appeal to the city commission may be filed by the applicant in accordance with Section 47-26B, Appeals.*
6. *If the rezoning application is recommended for approval or if an appeal of a denial of an application has been filed by the applicant in accordance with this section, the planning and zoning board shall forward its record and recommendations to the city commission for consideration.*
7. *The city commission shall hold a public hearing to consider the application and the record and recommendations forwarded by the department and the planning and zoning board and shall hear public comment on the application.*
8. *If the city commission determines that the rezoning meets the criteria for rezoning the city commission shall approve the change in zoning as requested in the application or approve a change to a more restrictive zoning district than that requested in the application if necessary to meet the criteria provided for rezoning and if consented to by the applicant. If the city commission determines that the proposed rezoning does not meet the criteria in, or if the applicant does not consent to a more restrictive zoning district, the city commission shall deny the application.*
9. *Approval of a rezoning shall be by ordinance adopted by the city commission.*
10. *If an application is for rezoning of more than ten (10) contiguous acres, the application shall be considered in accordance with Sec. 47-27.5. B, Notice Procedures for Public Hearings.*

**Response: Acknowledged.**

- D. *Criteria. An application for a rezoning shall be reviewed for compliance with Section 47-25, Development Review Criteria. In addition, an application for a rezoning shall be reviewed in accordance with the following criteria:*

1. *The zoning district proposed is consistent with the city's comprehensive plan.*

**Response: The proposed rezoning to X-P for the portion of the Property currently zoned RD-15 is consistent with the City's Comprehensive Plan through the allocation of Commercial Flex. The XP use is permitted if the allocation of commercial flex does not exceed five percent (5%) of the total land use area within the flexibility zone that is designated for Residential use. Currently, there are 518.47 acres available for commercial flex use. The area to be rezoned is 0.57 acres / 25,110 square feet and, if approved, 517.9 acres of commercial flex will remain for commercial flex allocation. The proposed rezoning complies with the requirements for commercial flex allocation.**

1. *The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration.*

**Response: The parcel proposed to be rezoned to X-P will permit the site to accommodate the parking for the proposed use and buffer the adjacent residential uses. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration.**

2. *The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.*

**Response:** The surrounding properties have a land use designation of Residential Medium and Commercial with associated zoning classifications of Boulevard Business (B-2), Community Business (CB), and Residential Single Family/Duplex/Low Medium Density (RD-15). The rezoning of the RD-15 zoned portion of the Property to X-P is consistent and compatible with the existing mix of districts and uses along Sunrise Boulevard.

- E. *Effective date of approval. A rezoning shall take effect at the time provided in the ordinance approving the rezoning.*

**Response: Acknowledged.**

- F. *Withdrawal of an application. An applicant may withdraw an application for rezoning at any time prior to a vote by the planning and zoning board on the application. If two (2) applications for rezoning of the same parcel of property are withdrawn by the same applicant within one (1) year, no other application to rezone the tract of land shall be considered by the city for at least two (2) years after the date of withdrawal of the second application.*

**Response: Acknowledged.**

- G. *New application after denial. No application for a rezoning which has been previously denied by the planning and zoning board or by the city commission shall be accepted for at least two (2) years after the date of denial. An application to rezone property to a designation that is different than the designation which was applied for and denied and is different than a designation that was considered and denied as part of an application by the planning and zoning board, city commission or both, will be accepted and considered without consideration of time since a previous application was denied.*

**Response: Acknowledged.**

- H. *Appeal. If the planning and zoning board or city commission denies the rezoning and the applicant desires to appeal the denial, the provisions of Section 47-26B, Appeals, shall apply.*

**Response: Acknowledged.**

## **5. SEC. 47-25.2 – ADEQUACY REQUIREMENTS**

- A. *Applicability.* The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.
- B. *Communications network.* Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

**Response: N/A. Rezone application.**

- C. *Drainage facilities.* Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2 1/2) inches of runoff from the impervious surface whichever is greater.

**Response: N/A. Rezone application.**

- D. *Environmentally sensitive lands.*

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and well field protection which ordinances are incorporated herein by reference:
  - a. Broward County Ordinance No. 89-6.
  - b. Section 5-198(l), Chapter 5, Article IX of the Broward County Code of Ordinances.
  - c. Broward County Ordinance No. 84-60.
2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

**Response: There are no environmentally sensitive lands on this site.**

- E. *Fire protection.* Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

**Response: N/A. Rezone application.**

- F. *Parks and open space.*

1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.
2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

**Response: N/A. Rezone application.**

- G. *Police protection.* Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

**Response: N/A. Rezone application.**

- H. *Potable water.*

1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.
2. *Potable water facilities.*
  - a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
  - b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.



c. Where the county is the projected service provider, a similar written assurance will be required.

**Response: N/A. Rezone application.**

I. *Sanitary sewer.*

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.
3. Where the county is the projected service provider, a written assurance will be required.
4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

**Response: N/A. Rezone application.**

- J. **Schools.** For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or Section 47-38.C Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

**Response: N/A. No residential units are proposed.**

K. *Solid waste.*

1. Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.
2. *Solid waste facilities.* Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

**Response: N/A. Rezone application.**

- L. *Stormwater.* Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.

**Response: N/A. Rezone application.**

M. *Transportation facilities.*

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.
2. **Regional transportation network.** The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to

evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.

3. **Local streets.** Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

4. *Traffic impact studies.*

- a. When the proposed development may generate over one thousand (1,000) daily trips; or
- b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half ( 1/2) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half ( 1/2) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in traffic ways impact analysis which shall:
  - i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
  - ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed traffic ways.
  - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local traffic ways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
  - iv. A further detailed analysis and any other information that the review committee considers relevant.
  - v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.
  - vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

**Response: N/A. Rezone application.**

5. *Dedication of rights-of-way.* 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.

**Response: N/A. Rezone application.**

6. *Pedestrian facilities.* Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.

**Response: N/A. Rezone application.**

7. *Primary arterial street frontage.* Where a proposed development abuts a primary arterial street either existing or proposed in the traffic ways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

**Response: N/A. Rezone application.**

8. *Other roadway improvements.* Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

**Response: N/A. Rezone application.**

9. *Street trees.* In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

**Response: N/A. Rezone application.**

**N. Wastewater.**

1. *Wastewater.* Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

**Response: N/A. Rezone Application.**

- O. *Trash management requirements.* A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management

plan within six (6) months of the effective date of this provision.

**Response: N/A. Rezone application.**

*P. Historic and archaeological resources.*

1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

**Response: The site was previously developed and no historic or archaeological resources have been identified.**

- Q. Hurricane evacuation.* If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

**Response: N/A. The site is not located east of the Intracoastal Waterway.**

**6. Sec. 47-28 – Flexibility Rules**

*G. Allocation of commercial uses on residential land use designated parcels.*

3. *The city may permit commercial uses on a parcel with a residential land use designation subject to the following conditions:*

- a. *Rezoning of the development site to community business (CB) only, or to exclusive use (X-Use); and*

**The existing RD-15 zoned portion of the property totaling approximately 0.57 acres / 25,110 square feet is proposed to be rezoned to X-P.**

- b. *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; and*

**The Property is in an area with available commercial flexibility acreage. The Property is in an area with available commercial flexibility acreage. Currently, there are 518.47 acres available for commercial flex use. The area to be rezoned is 0.57 acres and, if approved, 517.9 acres of commercial flex will remain for commercial flex allocation. The proposed rezoning complies with the requirements for commercial flex allocation.**

- c. *The parcel proposed for CB or X-Use use shall not be greater than ten (10) contiguous acres;*

**The parcel proposed to be rezoned to X-P is only approximately 0.57 acres / 25,110 square feet.**

- d. *Criteria:*

- i. *Demonstration that the use of commercial flex acreage supports and implements the specific goals, objectives and policies of the city's LUP.*

The proposed use of commercial flex acreage is generally consistent with the City's Comprehensive Plan goals, objectives and policies and Commercial and Residential Medium land designations. As it relates to the proximity of the site to adjacent residential uses, Future Land Use Element Policy 1.20.2 states that non-residential uses shall be planned with setbacks, buffer landscaping, and traffic patterns leading away from residential areas when non-residential uses are adjacent to residential areas. Per Future Land Use Element Policy 1.1.4, which is implemented to ensure safe and convenient on-site vehicular movement, off-street parking, pedestrian safety measures and adequate access for service and emergency vehicles, the Project has been designed to minimize vehicular and pedestrian conflicts with the adjacent NE 3<sup>rd</sup> Avenue, NE 11<sup>th</sup> Street, and NE 4<sup>th</sup> Avenue. Access to the site is provided on NE 11<sup>th</sup> Street to separate vehicular circulation from the adjacent residential uses to the greatest extent. A cross access is provided between the Property and the approved Cumberland Farms parcel to the south (Case No. R17066). Also, where adjacent to residential property, a minimum 10' landscape buffer has been provided between the proposed parking lot.

- ii. *Rezoning application in accordance with Sec. 47-24.2, Development Permits and Procedures.*

**Acknowledged.**

- iii. *Site plan approval level III in accordance with Sec. 47-24.2, Development Permits and Procedures.*

**Noted.**

Respectfully,

*/s/ Stephanie J. Toothaker*

Stephanie J. Toothaker, Esq.




**RE: ZR19003 - Sherwin Williams on NE 4th**

Jim Hetzel <JHetzel@fortlauderdale.gov>

Fri 9/27/2019 10:12 AM

To: Estefanía Mayorga <estefania@toothaker.org>

Cc: Linda Mia Franco <LFranco@fortlauderdale.gov>; Stephanie Toothaker <stephanie@toothaker.org>

 1 attachments (142 KB)

Unified Flex - Current Table 9-5-19.pdf;

Hi Estefania – Attached is the City's Current Flex Table. I believe this location would be residential to commercial flex which currently has 518.47 acres available.

Let me know if I can assist further.

**Jim Hetzel, AICP, Principal Urban Planner**

City of Fort Lauderdale | Urban Design and Planning

P: (954) 828-5019 E: [jhetzel@fortlauderdale.gov](mailto:jhetzel@fortlauderdale.gov)

---

**From:** Estefanía Mayorga <estefania@toothaker.org>

**Sent:** Friday, September 27, 2019 9:59 AM

**To:** Jim Hetzel <JHetzel@fortlauderdale.gov>

**Cc:** Linda Mia Franco <LFranco@fortlauderdale.gov>; Stephanie Toothaker <stephanie@toothaker.org>

**Subject:** ZR19003 - Sherwin Williams on NE 4th

**External Email Warning:** This email originated from outside of the City of Fort Lauderdale's email system. Do not reply, click links, or open attachments unless you recognize the sender's **email address** (not just the name) as legitimate and know the content is safe. Report any suspicious emails to [SpamAdmin@fortlauderdale.gov](mailto:SpamAdmin@fortlauderdale.gov)

Good morning, Jim:

RE:ZR19003

We are request. ng to rezone a portion of the property to X-use. We would like to verify the availability of commercial flex to include in our narrative.

Thank you for your assistance.

**estefanía mayorga**

lead planner, research, & concepts

[estefania@toothaker.org](mailto:estefania@toothaker.org)

c. 561.777.0276

**TOOTHAKER.org**

land use. development.

political. strategy. procurement



CITY OF FORT LAUDERDALE

CITY UNIFIED FLEX

ALLOCATION TABLE - UNIFIED FLEX UNITS AND CITYWIDE COMMERCIAL FLEX

CASE NUMBER	PROJECT NAME	ADDRESS	UNIFIED FLEX UNITS		AFFORDABLE HOUSING UNITS		SLEEPING ROOMS		5% RES TO COM (acres)		20% IND TO COM (acres)		20% EMP TO COMM (acres)		20% COMM TO RES (acres)		NOTES: DRC / PZB / CC DATES
			Approved	Pending	Approved	Pending	Approved	Pending	Approved	Pending	Approved	Pending	Approved	Pending	Approved	Pending	
DOWNTOWN RAC																	
R15017	URBN @ Flagler Village	401 NE 3rd AVE		512													CC 10/4/18 -Unit allocation split with RAC 2016 Unit Pool - See DRAC Table PZB Approved May 2018
R17025	RiverParc (Southside)	501 S Andrews Ave		194													
R17042	Alta Flagler Village Phase II	444 NE 7 Street		270													PZB Approved May 2018
R18037	637 Art Lofts	637 NE 4th Ave	-	9	-	-	-	-	-	-	-	-	-	-	-	-	
R18039	iTown	208 SE 9th Street		41	-	-	-	-	-	-	-	-	-	-	-	-	CC 5/15/19 APPROVED
R18060	Modera 555	555 NE 8th Street		350	-	-	-	-	-	-	-	-	-	-	-	-	
R18071	333 Victoria	319 NE 7th Avenue	-	63	-	-	-	-	-	-	-	-	-	-	-	-	DRC 11/13/18
R19002	629 Residence	629 SE 5th Avenue	-	249													CC 4/12/19 APPROVED
R19016	SkyLofts on 3rd	224 SE 9th Street		4	-	-	-	-	-	-	-	-	-	-	-	-	DRC 3/23/19
R19022	One Financial Plaza Phase III	100 SE 3rd Ave	-	300													DRC 6/25/19
R19034	Tarpon Lofts	400 SE 9th Court		7	-	-	-	-	-	-	-	-	-	-	-	-	DRC 4/9/19
R19052	808 SE 4th Project	808 SE 4th Street	-	5 77	-	-	-	-	-	-	-	-	-	-	-	-	DRC 8/27/19
R19059	FAT Village East	21 NW 5th Street		307	-	-	-	-	-	-	-	-	-	-	-	-	DRC 9/10/19
R19066	River Lofts	307 SE 5th Street		368	-	-	-	-	-	-	-	-	-	-	-	-	DRC 10/8/19
PLN-SITE-19100020	Flagler Creative	818 NE 4th Avenue		316	-	-	-	-	-	-	-	-	-	-	-	-	DRC 11/26/19
SUBTOTAL			1,063	2,054	-	0	-	0	-	0	-	0	-	0	-	0	0
NW RAC																	
						-	-	-	-	-	-	-	-	-	-	-	
SUBTOTAL			-	0	-	0	-	0	-	0	-	0	-	0	-	0	0
UPTOWN																	
SUBTOTAL			-	0	-	0	-	0	-	0	-	0	-	0	-	0	0
CITYWIDE FLEX																	
R18045	Bimini Cove	2275 W State Road 84	-	140	-	-	-	-	-	-	-	-	-	-	-	-	PZB 1/16/19 APPROVED
R17066	Cumberland Farms	333 E Sunrise Blvd							0.41								PZB 1/16/19 APPROVED
ZR17007	Pier 17 Marina	1500 SW 17th Street							0.25								PZB 9/17/18 APPROVED
R18033	Public Storage Facility	5080 N State Road 7			-	-	-	-	-				6.50	-	-	-	PZB 10/17/18 APPROVED
R18073	Pier 66	2301 SE 17th Street	-	127	-	-	-	-	-								PZB 6/15/19 APPROVED
R19046	Davie 1	3801 Davie Blvd	-	8	-	-	-	-	-								DRC 7/9/19
ZR19003	Sherwin Williams on NE 4 <sup>th</sup> Ave	1051 NE 4th Avenue	-		-	-	-	-	-	0.58	-	-	-			-	DRC 8//17/19
PLN-SITE-19100020	Publix	2985 N Ocean Blvd			-	-	-	-	-	0.52	-	-	-			-	DRC 12/10/19
SUBTOTAL			-	267 <sup>4</sup>	48	-	0	-	0	-	0	-	0	-	6.50	-	0
EXPIRED																	
R15058	Las Olas Townhomes	620 NE 2nd ST		7		-		-		-		-		-		-	
R14001	Lofts on 8th	501 & 509 SE 8th ST		75		-		-		-		-		-		-	
R14018	Pineapple House	NE 3 Ave and NE 5th St		136													
SUBTOTAL				218		0		0		0		0		0		0	
UNIFIED FLEX TOTALS																	
PERMITTED UNITS / ACRES <sup>(2)</sup>				5,000		1,901		0		519.60		124.50		268.00		420.50	(1) Unified Flex Policy approved on 7/9/18 (2) BCPC incremental release of 5,000 units at a time of the City's total flex unit availability. (3) Expired projects were allocated flex units prior to unified flex approval and are available for allocation. See expired projects.
EXPIRED PROJECTS <sup>(3)</sup>				218		0		0		0.00		0.00		0.00		0.00	
TOTAL				5,218		0		0		0.00		0.00		0.00		0.00	
PENDING				2,102		0		0		1.10		0.00		0.00		0.00	
TOTAL ALLOCATED				1,330		0		0		0.66		0.00		6.50		0.00	
REMAINING				2,102		1,901		0		517.84		124.50		261.50		420.50	Updated 12/10/19

December 9, 2019

**DRC – Neighborhood Compatibility Narrative**  
**Sherwin Williams on NE 4th Ave**  
**1051, 1071 NE 4<sup>th</sup> Avenue, Fort Lauderdale FL**

**Sec. 47-25.3. - Neighborhood compatibility requirements**

The neighborhood compatibility requirements are as follows:

1. **Adequacy requirements.** See Sec. 47-25.2.
2. **Smoke, odor, emissions of particulate matter and noise.**
  - a. Documentation from the Broward County Department of Natural Resource Protection (DNRP) or a report by a certified engineer, licensed in the State of Florida, that the proposed development will not exceed the maximum levels of smoke, odor, emissions of particulate matter and noise as regulated by Chapter 27, Pollution Control, of the Code of Broward County, and that a DNRP permit for such facility is not required.
  - b. Where a DNRP license is required in accordance with Chapter 27, Pollution Control, of the Code of Broward County, all supporting documentation and information to obtain such permit shall be submitted to the DRC as part of a site plan review.
  - c. Such DNRP licenses shall be required to be issued and copies provided to the city prior to the issuance of a building permit for the proposed development.

**RESPONSE: To the extent any DNRP permits are needed, the project will comply.**

3. **Design and performance standards.**
  - a. **Lighting.** No lighting shall be directed from a use which is subject to the requirements of this Sec. 47-25.3 in a manner which illuminates abutting residential property and no source of incandescent or mercury vapor illumination shall be directly visible from any abutting residential property. No neon lights inside or outside structures shall be visible from any abutting residential property.
  - i. Glare. Any nonresidential operation or activity producing glare shall be conducted so that direct or indirect illumination of light shall not cause illumination in excess of one (1) footcandle on any abutting residential property except as provided in subsection iii. of this subsection a.

**RESPONSE: The lighting is designed by a licensed engineer in conformance with the above sections. Any glare produced by the project will be conducted so that direct or indirect illumination of light will not cause illumination in excess of 1-footcandle on any adjacent residential projects.**

**Stephanie J. Toothaker, Esq.**  
land use development political strategy procurement

**Stephanie J. Toothaker, Esq., PA** 954.648.9376 stephanie@toothaker.org [@stoothaker](#) [@toothakerdevelopment](#)  
401 E Las Olas Blvd, Suite 130-154 Fort Lauderdale, FL 33301

- ii. Control of effects of lights from automobiles or other sources. Where the site plan indicates potential adverse effects of parking or of other sources on the lot on which the nonresidential use is to be located, such effects shall be eliminated or at a minimum prevented so that lights do not illuminate adjacent residential property below a height of five (5) feet at the residential lot line, or from shining into any residential window if there is to be nonresidential parking on the premises after dark.

**RESPONSE: The parking lot is designed with ample buffering along the perimeter to diffuse any open view of headlights.**

- iii. In addition to the above, parking lots and garages will be subject to the provisions of Sections 47-20.14 and if in conflict with the provisions of this section, the more restrictive provisions shall apply.

**RESPONSE: The project acknowledges this requirement and will comply with applicable codes.**

- b. ***Control of appearance.*** The following design standards are provided to protect the character of abutting residential areas from the visual impact which may result from a use which is subject to the requirements of this Sec. 47-25.3.
- i. ***Architectural features.*** The facade of any side of a nonresidential building facing the residential property shall be constructed to compliment a residential structure and shall include the following:
  - a) Fenestration such as windows, doors and openings in the building wall; and
  - b) Shall contain a minimum of one (1) feature from each of the following architectural feature groups with a total of four (4) architectural features from the following list:
    - 1. Detail and embellishments:
      - a. Balconies,
      - b. Color and material banding,
      - c. Decorative metal grates over windows,
      - d. Uniform cornice heights,
      - e. Awnings.
    - 2. Form and mass:
      - a. Building mass changes including projection and recession,
      - b. Multiple types and angles of roofline, or any combination thereof.
  - c) The above required facade treatment shall be required to continue around the corner onto the adjoining wall for a distance of twenty (20) feet.

**RESPONSE: Fenestration including windows and doors are provided. Color and material banding and architectural framing elements, including varying angles of roofline, are provided. See elevations and renderings.**

- ii. **Loading facilities.** Loading and service facilities shall be screened so as not to be visible from abutting residential uses or vacant residential zoned property.

**RESPONSE: Loading and solid waste collection will occur both on-site within the area between the two buildings and will be adequately screened from abutting uses.**

- iii. **Screening of rooftop mechanical equipment.** All rooftop mechanical equipment, stair and elevator towers shall be designed as an integral part of the building volume and shall be required to be screened with material that matches the material used for the principal structure and shall be at least as high as six (6) inches above the top most surface of the roof mounted structure.

**RESPONSE: All mechanical equipment will be adequately screened.**

- c. **Setback regulations.** When a nonresidential use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, there shall be an additional setback required for any yard of that use which is contiguous to the residential property, as follows:
  - i. When any side of a structure greater in height than forty (40) feet is contiguous to residential property, that portion of the structure shall be set back one (1) foot for each one (1) foot of building height over forty (40) feet up to a maximum width equal to one-half ( $\frac{1}{2}$ ) the height of the building, in addition to the required setback, as provided in the district in which the proposed nonresidential use is located.

**RESPONSE: N/A**

- d. **Bufferyard requirements.** Excluding parks, open space and conservation areas, when a use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, the property where the use is located shall be required to have a landscaped strip area and a physical barrier between it and the residential property. Such landscape strip shall meet the following requirements:
  - i. **Landscape strip requirements.** A ten (10) foot landscape strip shall be required to be located 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. When walls are required on nonresidential property abutting an alley, required shrubbery shall be installed and located within the landscape area on the exterior of the wall.
  - ii. **Parking restrictions.** No parking shall be located within twelve (12) feet of the property line, within the yard area required by the district in which the proposed nonresidential use is located, when such yard is contiguous to residential property.
  - iii. **Dumpster regulations.** All solid waste refuse containers (dumpsters) shall be set back a minimum of twelve (12) feet from any property line which is contiguous to residential property, and shall be screened in accordance with

the Dumpster requirements, as provided in Section 47-19, Accessory Uses, Buildings and Structures.

- iv. *Wall requirements.* A wall shall be required on the nonresidential property, a minimum of five (5) feet in height, constructed in accordance with Section 47-19.5 and subject to the following:
  - a) Decorative features shall be incorporated on the residential side of such wall according to the requirements of Section 47-19.5,
  - b) Shall be located within, and along the length of the property line which abuts the residential property,
  - c) When the nonresidential property is located adjacent to an alley such wall shall be located at least five (5) feet from the right-of-way line located closest to the nonresidential property,
  - d) When a utility, or other public purpose easement, on the nonresidential property precludes the construction of a wall, then an opaque fence, constructed in accordance with the standards described in Section 47-19.5, may be erected in lieu of the wall required by subsection iv. above. The use of an opaque fence as a physical barrier between nonresidential and residential property shall be reviewed and recommended by the city engineer.

**RESPONSE: Please see the plans provided showing the limits of the code required wall.**

- v. *Application to existing uses.* Within five (5) years from the effective date of subsections A.3.c and d (effective date: September 19, 1989), all nonconforming uses of land which were in existence prior to such date shall comply with the requirements of subsections A.3.c and d unless compliance would cause one (1) or more of the following to occur:
  - a) Demolition of any load-bearing portion of a building as it exists on September 19, 1989, the effective date of subsections A.3.c and d;
  - b) Reduction of required parking spaces;
  - c) A reduction in the number of parking spaces provided for use of a parcel which would be required if based on the parking requirements of Section 47-20, Parking and Loading Requirements in effect on and applicable to such use on March 6, 1990;
  - d) Relocation of an existing wall which complied with the Code prior to September 19, 1989, the effective date of subsections A.3.c and d;
  - e) Access to the land would be substantially impaired;
  - f) Installation of the wall as provided in subsection iv. would require a modification of the existing vehicular use area, which would impair traffic circulation on the site and a minimum five (5) foot high hedge, fence or other physical barrier is in place along the length of the nonresidential property line which abuts the residential property;
  - g) In such cases, the use shall otherwise comply with the requirements of this section to the maximum possible extent; however, the requirement of subsections A.3.d.i to install a landscape strip shall be met if an abutting residential property owner agrees in writing that the landscape strip may



be placed on his or her property. An agreement in form provided by the department must be executed by the applicant and the abutting property owner. If the abutting property owner removes the landscape strip after it has been installed, there shall be no further requirement to install another landscape strip on the abutting property in connection with the commercial use which existed at the time of the initial installation.

**RESPONSE: N/A**

- e. ***Neighborhood compatibility and preservation.*** In addition to the review requirements provided in subsections A.1, A.2 and A.3.a, b, c, and d, the following review criteria shall also apply as provided below:
  - i. All developments subject to this Sec. 47-25.3 shall comply with the following:
    - a) Development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

**RESPONSE: The project has been designed to be compatible with the scale of the adjacent structures. The vehicular ingress/egress is located to the north and south of the property. The proposed one-story buildings are of similar scale to adjacent uses, which includes the Home Depot to the east and the recently approved Cumberland Farms to the south. The buildings are oriented towards NE 4<sup>th</sup> Avenue. The parking area is appropriately buffered with ample landscape and the code required wall abutting the residential use to the north. Please see the plans provided.**

- b) Consideration shall be given to the recommendations of the adopted neighborhood master plan in which the proposed development is to be located, or which it abuts, although such neighborhood master plan shall not be considered to have the force and effect of law. When recommended improvements for the mitigation of impacts to any neighborhood, conflicts with any applicable ULDR provision, then the provisions of the ULDR shall prevail. In order to ensure that a development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms,

and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

**Response:** The proposed development is located within the Central City Community Redevelopment Area ("CRA"), which is currently undergoing a zoning in progress referred to as the Central City CRA Rezoning Project that includes newly created zoning districts and regulations for the Central City CRA to encourage new mixed-use development. The proposed project and the immediate residential uses to the west are located within the area proposed to be rezoned to the "Community Commercial Corridor" district, which is the most intense proposed district intended for properties located along existing commercial corridors. Furthermore, the proposed buildings are oriented towards NE 4<sup>th</sup> Avenue. The site is proposed to be buffered by landscaping along the perimeter to mitigate any potential impacts to the immediate existing residential areas. Site access is provided on the north along NE 11<sup>th</sup> Avenue and the south with cross access to the Cumberland Farms site. The proposed site plan complies with the Central City CRA Redevelopment Plan and advances the following goals: 1) remove blighting influences, including improving an underutilized lot that currently attracts dumping; 2) provide streetscape improvements; 3) attract new business tenants; and 4) improve the image of the area.

Respectfully,

*/s/ Stephanie J. Toothaker*

Stephanie J. Toothaker, Esq.



## Florida Department of Transportation

RON DESANTIS  
GOVERNOR

3400 West Commercial Boulevard  
Fort Lauderdale, FL 33309

KEVIN J. THIBAUT  
SECRETARY

December 12, 2019\*\*

THIS PRE-APPLICATION LETTER IS VALID UNTIL – December 12, 2020  
**THIS LETTER IS NOT A PERMIT APPROVAL**

Frank Steward  
Flynn Engineering Services  
241 Commercial Blvd  
Lauderdale By The Sea, Florida 33301

Dear Frank Steward:

RE: **October 10, 2019-** Pre-application Meeting for **Category C Driveway**  
Broward- Fort Lauderdale, Urban; SR 811; Sec. # 86170; MP: 0.100  
Access Class - 7; Posted Speed - 30; SIS - Influence Area; Ref. Project: FM: 441759.1-ITS Communication System-Anson  
Sonnett, FM: 431657.1-Bike Lane/Side Walk- Humberto Ivan Arrieta  
**Request: Right-in/right-out driveway on west side of SR 811, located approximately 270' north of SR 838.**

### SITE SPECIFIC INFORMATION

Project Name & Address: **Sherwin Williams on 4th Ave – 1051, 1071 NE 4th Avenue, Fort Lauderdale, Florida**  
Applicant/Property Owner: **Town Development Company**  
Parcel Size: **1.54 Acres** Development Size: **14,200 SF Retail**

### WE APPROVE YOUR REQUEST

This decision is based on your presentation of the facts, site plan and survey - please see the **conditions** and **comments** below. You may choose to review this concept further with the District Access Management Review Committee (AMRC).

#### Conditions:

- A minimum driveway length of 50 feet, as measured from the ultimate right-of-way line to the first conflict point shall be provided. If a gate is installed a minimum driveway length of 100 feet is required.
- Shall donate/dedicate an easement for protected bike lane and sidewalk.
- A recorded cross access agreement or easement with the adjacent property to the south shall be provided prior to the Permit approval.

#### Comments:

**\*\* Letter is revised based on the right turn lane condition from previous letter dated on October 10, 2019.**

- All driveways not approved in this letter must be fully removed and the area restored.
  - Drainage mitigation is required for any impacts within FDOT right-of-way (i.e. increased runoff or reduction of existing storage). A Storm Water Pollution Prevention Plan must be submitted with the application for more than one acre of "disturbed area" as defined by the Florida Department of Environmental Protection (FDEP).
  - The applicant shall donate the right-of-way to the Department if right-of-way dedication is required to implement the improvements,
  - Dimensions between driveways are measured from the near edge of pavement to near edge of pavement and for median openings are measured from centerline to centerline unless otherwise indicated.
- The purpose of this Pre-Application letter is to document the conceptual review of the approximate location of driveway(s) to the State Highway system and to note required improvements, if any. This letter shall be submitted with any further reviews and for permitting. The Department's personnel shall review permit plans for compliance with this letter as well as current Department standards and/or specifications. Final design must consider the existing roadway profile and any impacts to the existing drainage system. **Note, this letter does not guarantee permit approval.** The permit may be denied based on the review of the submitted engineering plans. Be aware that any approved median openings may be modified (or closed) in the future, at the sole discretion of the Department. For right-of-way dedication requirements go to: <https://osp.fdot.gov>; click on Statewide Permit News; Scroll down to District 4; Scroll down to Additional Information and Examples and choose Right-of-way Donations/Dedications.

Please contact the Access Management Manager - Tel. # 954-777-4363 or e-mail: [D4AccessManagement@dot.state.fl.us](mailto:D4AccessManagement@dot.state.fl.us) with any questions regarding the Pre-Approval Letter and Permits Office - Tel. # 954-777-4383 with any questions regarding permits.

Digitally signed by Roger Lemieux  
DN: C=US,  
E=roger.lemieux@dot.state.fl.us,  
O=FDOT, OU="Permits Office",  
CN=Roger Lemieux  
Date: 2019.12.17 13:55:23-05'00'

Sincerely,

Kollol Shams  
2019.12.12 17:25:42 -05'00'

Kollol Shams  
District Access Management Manager

cc: Roger Lemieux

File: S:\Transportation Operations\Traffic Operations\Access Management\1. Pre-Apps and Variance\2019-10-10\1. 86140 MP 0.10 SR 811\_Sherwin Williams on 4th Ave\86140 MP 0.10 SR 811\_Sherwin Williams on 4th Ave\_Revised.docx

[www.dot.state.fl.us](http://www.dot.state.fl.us)



October 8, 2019

Stephanie J. Toothaker, Esquire  
401 East Las Olas Boulevard, Suite 130-154  
Fort Lauderdale, Florida 33301

Dear Ms. Toothaker:

Re: Platting requirements for a parcel legally described as Lots 1-42, Block 183, "Progresso," according to the Plat thereof, as recorded in Plat Book 2, Page 18, of the Public Records of Miami-Dade County, Florida, said lands situate, lying and being in Broward County, Florida, together with the vacated alley adjacent to said Lots, less a portion of Lots 1-25 for right-of-way purposes. This parcel is generally located between Northeast 3 Avenue and Northeast 4 Avenue and between Sunrise Boulevard and Northeast 11 Street, in the City of Fort Lauderdale.

This letter is in response to your request regarding the Broward County Land Use Plan's platting requirements for a proposed non-residential development on the above referenced parcel.

Planning Council staff has determined that replatting **would not be required** by Policy 2.13.1 of the Broward County Land Use Plan for the proposed development, subject to compliance with any applicable Broward County Trafficways Plan requirement.

As per the criteria of Policy 2.13.1, replatting is required for the issuance of building permits when constructing a non-residential or multi-family building, unless all of the following conditions are met:

- a. The lot or parcel is smaller than 10 acres and is unrelated to any adjacent development;
- b. The lot or parcel has been specifically delineated in a recorded plat;
- c. All land within the lot or parcel which is necessary to comply with the County Trafficways Plan has been conveyed to the public by deed or easement; and
- d. The proposed development is in compliance with the applicable land development regulations.

---

115 South Andrews Avenue, Room 307 • Fort Lauderdale, Florida 33301  
954.357.6695 • [Broward.org/PlanningCouncil](http://Broward.org/PlanningCouncil)



Stephanie J. Toothaker

October 8, 2019

Page Two

The subject parcel is less than 10 acres (approximately 3.25 acres) and meets the specifically delineated requirement. This platting interpretation is subject to the municipality finding that the proposed development is unrelated to any adjacent development, as noted in "a." above.

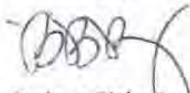
Planning Council staff notes that when a specifically delineated parcel (i.e. Lots 1-42) is combined with land which has been included in a plat recorded before June 4, 1963, but not specifically delineated, or with vacated rights-of-way (i.e. vacated alley adjacent to said Lots), Policy 2.13.1 of the Broward County Land Use Plan does not require replatting if the specifically delineated portion of the parcel constitutes the majority of the enlarged parcel; in this case the specifically delineated portion constitutes a majority of the enlarged parcel.

Some jurisdictions may be more restrictive and require platting in more situations than the Broward County Land Use Plan. The City of Fort Lauderdale's platting requirements should be investigated.

The contents of this letter are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, permitted uses and densities, local zoning, the land development regulations of the municipality or the development review requirements of the Broward County Land Use Plan, including concurrency requirements.

If you have any additional questions regarding the Broward County Land Use Plan's platting requirements, please contact Leny Huaman, Planner, at your convenience.

Respectfully,



Barbara Blake Boy  
Executive Director

BBB:LRH

cc: Chris Lagerbloom, City Manager  
City of Fort Lauderdale

Anthony Fajardo, Director, Department of Sustainable Development  
City of Fort Lauderdale



**Arborist Report/Tree Evaluation**

**Prepared by Dan Remy for**

**Eco Plan Inc.**

**888 South Andrews Avenue**

**Fort Lauderdale, FL 33316**

**RE: NE 4<sup>th</sup> Avenue**

**Ft. Lauderdale, FL 33305**

**Arborist License FL-0721A**

**September 4, 2019**



***THE TREE TEAM, INC.***  
**LANDSCAPING SERVICES**

September 4, 2019

Arborist Report for:

Eco Plan Inc.

888 South Andrews Avenue

Fort Lauderdale, FL 33316

RE: NE 4th Avenue

Ft. Lauderdale, FL 33305

Tree 1:

Identification: Black Olive (Bucida Buceras)

Size: 20 foot overall height

20 foot canopy spread

15 inch caliper trunk

Poor branch structure

Remove

Condition: Condition rate 50%

1.Roots

Structure 2 + Health 2= 4

2.Trunk

Structure 2+ Health 2= 4



3.Scaffold Branches

Structure 2+ Health 2= 4

4.Small Branches and Twigs

Health= 2

5.Foliage and/or Buds

Health= 2

Total Points= 16

Replacement Required: .60 x 15 x .50= 5 caliper inches

Tree 2:

Identification: Live Oak (Quercus Virginiana)

Size: 25 foot overall height

15 foot canopy spread

16 inch caliper trunk

Remain

Condition: Condition rate 57%

1.Roots

Structure 2 + Health 2= 4

2.Trunk

Structure 2+ Health 2= 4

3.Scaffold Branches

Structure 2+ Health 2= 4

4.Small Branches and Twigs

Health= 3

5.Foliage and/or Buds

Health= 3

Total Points= 18

Tree 3:

Identification: Live Oak (Quercus Virginiana)

Size: 25 foot overall height  
15 foot canopy spread  
16 inch caliper trunk  
Remain

Condition: Condition rate 57%

1.Roots

Structure 2 + Health 2= 4

2.Trunk

Structure 2+ Health 2= 4

3.Scaffold Branches

Structure 2+ Health 2= 4

4.Small Branches and Twigs

Health= 3

5.Foliage and/or Buds

Health= 3

Total Points= 18

Tree 4:

Identification: Live Oak (*Quercus Virginiana*)

Size: 25 foot overall height

15 foot canopy spread

16 inch caliper trunk

Remain

Condition: Condition rate 57%

1. Roots

Structure 2 + Health 2 = 4

2. Trunk

Structure 2+ Health 2 = 4

3. Scaffold Branches

Structure 2+ Health 2 = 4

4. Small Branches and Twigs

Health = 3

5. Foliage and/or Buds

Health = 3

Total Points = 18

Tree 5:

Identification: Monkey Pod (Samanea Saman)

Size: 10 foot overall height

8 foot canopy spread

8 inch caliper trunk

Remove

Invasive species

0 Replacement Value

Tree 6:

Identification: Sabal Palmetto (Cabbage Palm)

Size: 3 foot of clear trunk

Condition: Condition rate 0%

Remove

0 Replacement Value

Tree 7:

Identification: Monkey Pod (Samanea Saman)

Size: 8 foot overall height

3 foot canopy spread

2 inch caliper trunk

Remove

Invasive species

0 Replacement Value

Tree 8:

Identification: Australian Pine (Casuarina Equisetifolia)

Size: 50 foot overall height

36 inch caliper trunk

Remove

Invasive species

0 Replacement Value

Tree 9:

Identification: Slash Pine (Pinus Elliottii)

Size: 30 foot overall height

15 foot canopy spread

15 inch caliper trunk

Tree on decline

Remove

Condition: Condition rate 50%

1.Roots

Structure 2 + Health 2 = 4

2.Trunk

Structure 2+ Health 2= 4

3.Scaffold Branches

Structure 2+ Health 2= 4

4.Small Branches and Twigs

Health= 2

5.Foliage and/or Buds

Health= 2

Total Points= 16

Replacement Required: .50 x 15 = 8 caliper inches

Tree 10:

Identification: Earleaf Acacia (Acacia Auriculiformis )

Size: 20 foot overall height  
12 foot canopy spread  
10 inch caliper trunk  
Remove  
Invasive species  
Poor condition  
\$0 Replacement Value

Tree 11:

Identification: Earleaf Acacia (Acacia Auriculiformis )

Size: 20 foot overall height  
12 foot canopy spread  
10 inch caliper trunk  
Remove  
Invasive species  
Poor condition  
0 Replacement Value

Tree 12:

Identification: Sabal Palmetto (Cabbage Palm)

Size: 4 foot clear trunk

Condition: Condition rate 50%

Remove

\$0 Replacement Value

Tree 13:

Identification: Sabal Palmetto (Cabbage Palm)

Size: 6 foot clear trunk

Condition: Condition rate 50%

Remove

\$0 Replacement Value

Tree 14:

Identification: Sabal Palmetto (Cabbage Palm)

Size: 8 foot clear trunk

Condition: Condition rate 50%

Remove

\$180 Replacement Value

Tree 15:

Identification: Sabal Palmetto (Cabbage Palm)

Size: 10 foot clear trunk

Condition: Condition rate 50%

Relocate

Tree 16:

Identification: Sabal Palmetto (Cabbage Palm)

Size: 4 foot clear trunk

Condition: Condition rate 50%

Relocate

Tree 17:

Identification: Slash Pine (Pinus Elliottii)

Size: 30 foot overall height

15 foot canopy spread

16 inch caliper trunk

Remain

Condition: Condition rate 57%

1.Roots

Structure 2 + Health 2 = 4

2.Trunk

Structure 2+ Health 2= 4



3.Scaffold Branches

Structure 2+ Health 2= 4

4.Small Branches and Twigs

Health= 3

5.Foliage and/or Buds

Health= 3

Total Points= 18

Tree 18:

Identification: Sabal Palmetto (Cabbage Palm)

Size: 12 foot clear trunk

Condition: Condition rate 50%

Relocate

Tree 19:

Identification: Coconut Palm (Cocos Nucifera)

Size: 20 foot clear trunk

Condition: Condition rate 50%

Relocate

Tree 20:

Identification: Tamarind Tree (Tamarindus Indica)

Size: 25 foot overall height

15 foot canopy spread

12 inch caliper trunk

Trunk on decline

Remove

Condition: Condition rate 63%

1.Roots

Structure 3 + Health 3 = 6

2.Trunk

Structure 2+ Health 2= 4

3.Scaffold Branches

Structure 2+ Health 2= 4

4.Small Branches and Twigs

Health= 3

5.Foliage and/or Buds

Health= 3

Total Points= 20

Replacement Required: .63 x 15 = 8 caliper inches

Tree 21:

Identification: Sabal Palmetto (Cabbage Palm)

Size: 25 foot clear trunk

Condition: Condition rate 50%

Remove

Palm by pole

\$180 Replacement Value

Tree 22:

Identification: Mango Tree (*Mangifera Indica*)

Size: 25 foot overall height  
15 foot canopy spread  
14 inch caliper trunk  
Poor branch structure  
Remove

Condition: Condition rate 47%

1.Roots

Structure 2 + Health 2 = 4

2.Trunk

Structure 2+ Health 2= 4

3.Scaffold Branches

Structure 1+ Health 2= 3

4.Small Branches and Twigs

Health= 2

5.Foliage and/or Buds

Health= 2

Total Points= 15

Replacement Required: .60 x 14x.47 = 4 caliper inches

Tree 23:

Identification: False Tamarind Tree (*Lysiloma Latisiliquum*)

Size: 40 foot overall height  
30 foot canopy spread  
24 inch caliper trunk  
Remain

Condition: Condition rate 77%

1.Roots

Structure 3 + Health 3 = 6

2.Trunk

Structure 3+ Health 3= 6

3.Scaffold Branches

Structure 3+ Health 3= 6

4.Small Branches and Twigs

Health= 3

5.Foliage and/or Buds

Health= 3

Total Points= 24

If remove, estimate due is \$12,000



Tree 24:

Identification: Plumeria (Plumeria Rubra)

Size: 12 foot overall height

5 foot canopy spread

3 inch caliper trunk

Remove

Volunteer

Condition: Condition rate 32%

1.Roots

Structure 1 + Health 1 = 2

2.Trunk

Structure 1+ Health 1= 2

3.Scaffold Branches

Structure 1+ Health 1= 2

4.Small Branches and Twigs

Health= 2

5.Foliage and/or Buds

Health= 2

Total Points= 10

\$0 Replacement Value

Tree 25:

Identification: Ficus Benjamina (Weeping Fig)

Size: 12 foot overall height  
10 foot canopy spread  
12 inch caliper trunk  
Remove  
Ficus tree/Hedge  
Invasive  
\$0 Replacement Value

Tree 26:

Identification: Sabal Palmetto (Cabbage Palm)

Size: 8 foot clear trunk  
Condition: Condition rate 50%  
Relocate

Tree 27:

Identification: Sabal Palmetto (Cabbage Palm)

Size: 20 foot clear trunk  
Condition: Condition rate 50%  
Relocate

Tree 28:

Identification: Solitary Palm (*Alsmithia Longipes*)

Size: 18 foot clear trunk

Condition: Condition rate 40%

Remove

\$180 Replacement Value

Tree 29:

Identification: Mango Tree (*Mangifera Indica*)

Size: 15 foot overall height

10 foot canopy spread

8 inch caliper trunk

Poor branch structure/Tree on decline

Remove

Condition: Condition rate 25%

1.Roots

Structure 1 + Health 1 = 2

2.Trunk

Structure 1+ Health 1= 2

3.Scaffold Branches

Structure 1+ Health 1= 2

4.Small Branches and Twigs

Health= 1

5.Foliage and/or Buds

Health= 1

Total Points= 8

Replacement Required: .60 x8x.25= 2 caliper inches

Dan Remy

Certified Arborist FL-0721A

A handwritten signature in black ink, appearing to read 'DR' followed by a stylized flourish.

482 W Prospect Road  
Oakland Park – FL – 33309  
Phone (954)523-3900 – Fax (954) 523-3914  
remytrees@aol.com



PROJECT:

SHERWIN WILLIAMS ON 4TH AVE

1051, 1071 NE 4TH AVENUE, Fort Lauderdale FL 33304

PROJECT TEAM:

ARCHITECT  
DAVIDSON ARCHITECTURE AND ENGINEERING  
4301 Indian Creek Parkway, Overland Park, KS  
913.451.9380

CIVIL ENGINEER  
FLYNN ENGINEERING SERVICES, PA  
241 Commercial Blvd., Lauderdale-by-the-Sea, FL  
954.522.1004

LANDSCAPE ARCHITECT  
ECO PLAN  
888 S Andrews Ave, Suite 303, Ft. Lauderdale, FL  
954.524.3722

DRC SHEET INDEX

SURVEY

C1.0	SITE PLAN
A2.1	GROUND FLOOR PLAN - BUILDING A
A2.1	GROUND FLOOR PLAN - BUILDING B
A2.2	ROOF PLAN - BUILDING A
A2.2	ROOF PLAN - BUILDING B
A3.1	BUILDING ELEVATIONS - BUILDING A
A3.1	BUILDING ELEVATIONS - BUILDING B
LAPL-0	TREE DISPOSITION PLAN
LAPL-1	LANDSCAPE PLAN
LAPL-2	PLANTING DETAILS
E-1	SITE PHOTOMETRIC PLAN
C2.0	CONCEPTUAL PAVING GRADING & DRAINAGE PLAN
C3.0	CONCEPTUAL WATER & SEWER PLAN



LOCATION SKETCH

SECTION 34, TOWNSHIP 50S, RANGE 42E

Site Location





**FLYNN**  
ENGINEERING

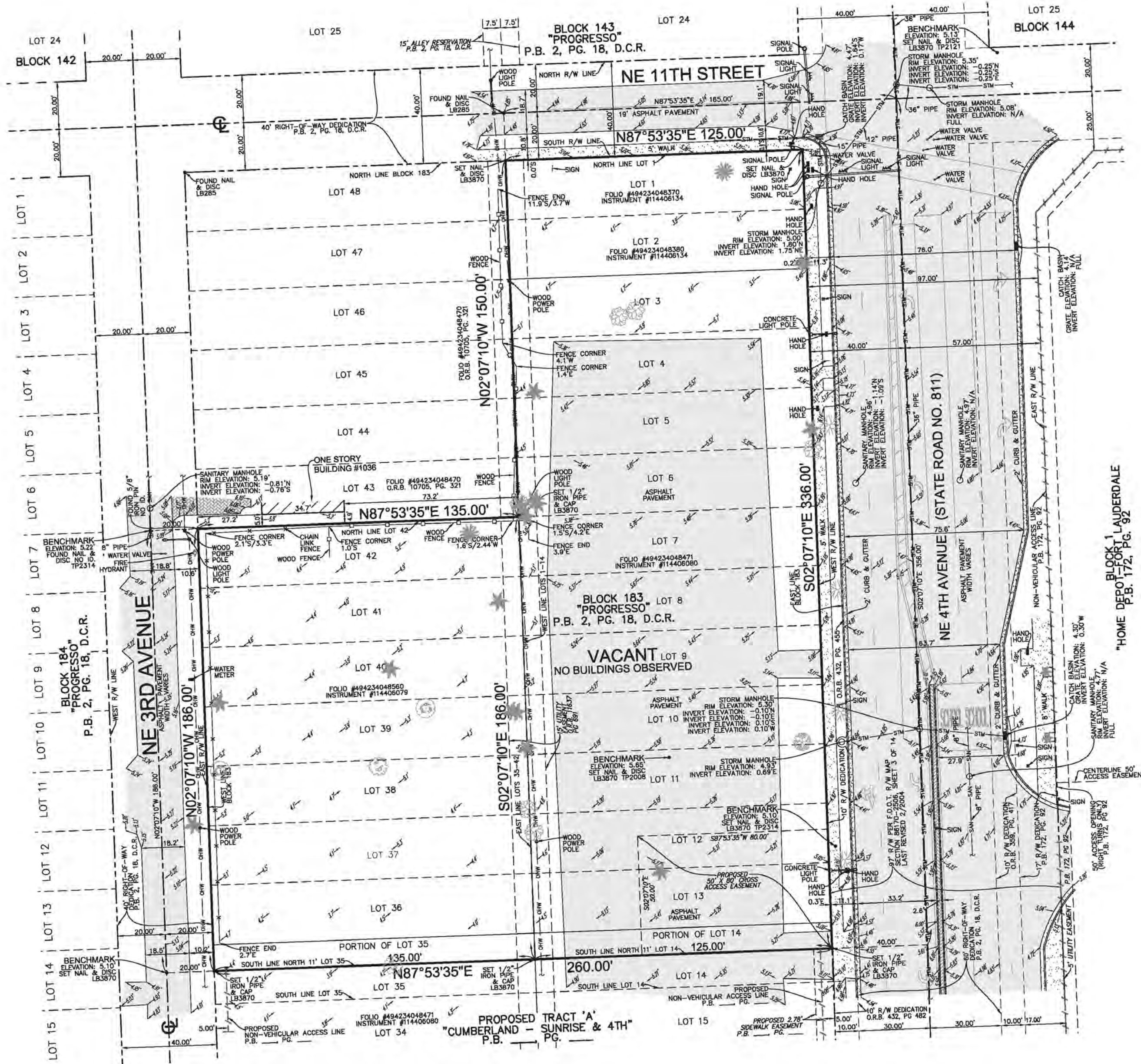
241 COMMERCIAL BLVD., LAUDERDALE-BY-THE-SEA, FL 33308  
PHONE: (954) 522-1004 | WWW.FLYNNENGINEERING.COM  
EB# 6578

Drawn by MDI	Date 10/09/19
Proj. Mgr. DTR	Plot Date 10/09/19
Appr. by JMF	
Job No. 19-1523.00	



# LEGEND

- CONCRETE
- ASPHALT PAVEMENT
- PAVERS
- ELEVATION
- OVERHEAD WIRES
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND SANITARY SEWER LINE
- NON-VEHICULAR ACCESS LINE
- CENTERLINE
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- PG. PAGE
- F.D.O.T. FLORIDA DEPT. OF TRANSPORTATION
- R/W RIGHT-OF-WAY
- D.C.R. MIAMI-DADE COUNTY RECORDS
- TP TRAVERSE POINT (FOR FIELD INFORMATION ONLY)
- FPL FLORIDA POWER & LIGHT COMPANY
- N/A NOT AVAILABLE
- LB LICENSED BUSINESS
- PALM TREE
- OAK TREE
- PINE TREE
- MANGO TREE
- BLACK OLIVE TREE
- TAMARIND TREE
- UNIDENTIFIED TREE

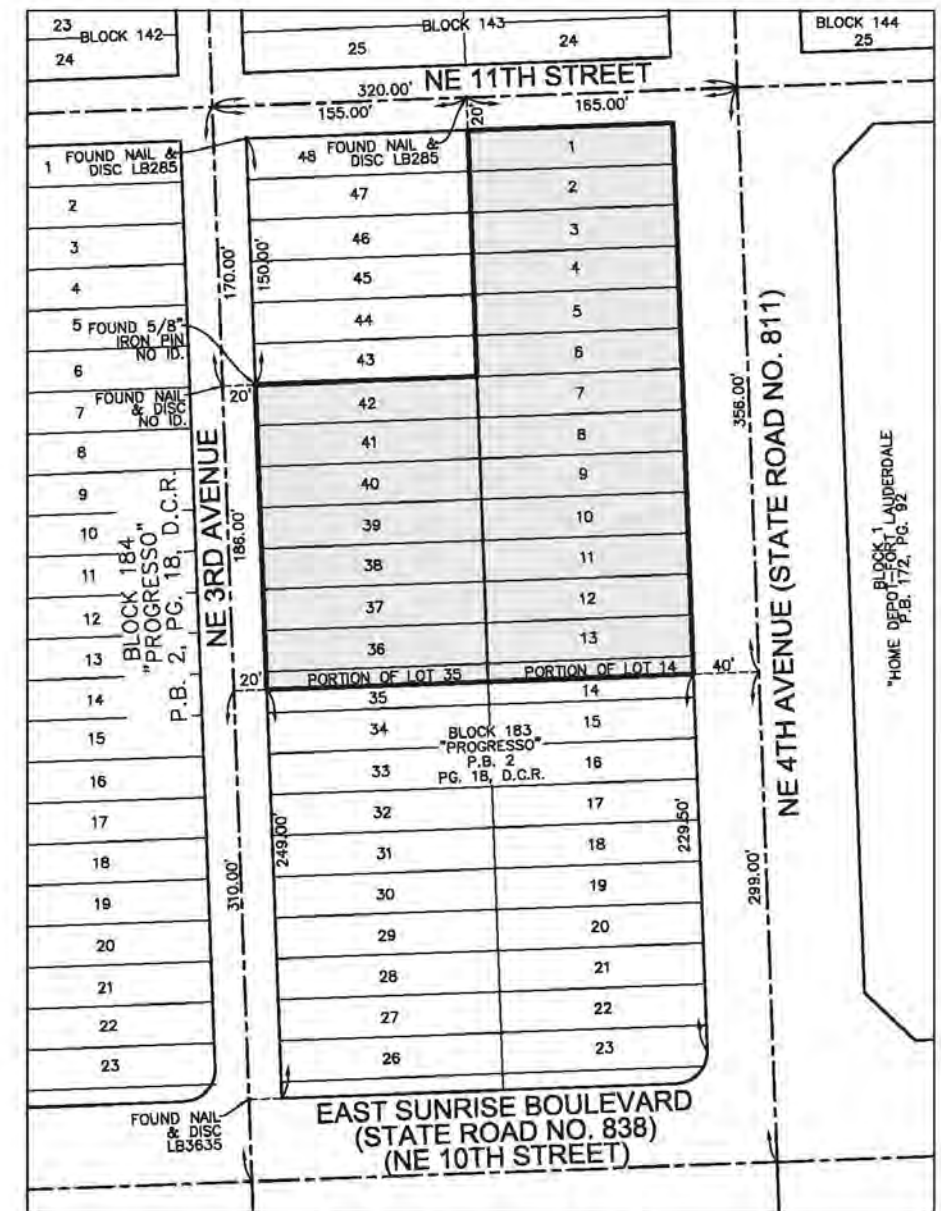


## CERTIFICATION:

I HEREBY CERTIFY: THAT THIS SKETCH OF SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES ("DOACS") CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

- JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
- BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
- VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
- STATE OF FLORIDA



VICINITY MAP  
NOT TO SCALE

## LEGAL DESCRIPTION:

LOTS 1 THROUGH 13, INCLUSIVE, AND THE NORTH 11.00 FEET OF LOT 14, LESS THE EAST 10.00 FEET THEREOF, TOGETHER WITH THE NORTH 11.00 FEET OF LOT 35 AND ALL OF LOTS 36 THROUGH 42, INCLUSIVE, ALL IN BLOCK 183 OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 67,110 SQUARE FEET (1.5406 ACRES) MORE OR LESS.

## NOTES:

- ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
- BROWARD COUNTY BENCHMARK #1875; ELEVATION: 6.059'
- FLOOD ZONE: AH; BASE FLOOD ELEVATION: 6'; PANEL #125105 0369H; MAP DATE: 08/18/14.
- THIS SITE LIES IN SECTION 34, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.
- BEARINGS ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF NE 3RD AVENUE BEING N02°07'10"W.
- REASONABLE EFFORTS WERE MADE REGARDING THE EXISTENCE AND THE LOCATION OF UNDERGROUND UTILITIES. THIS FIRM, HOWEVER, DOES NOT ACCEPT RESPONSIBILITY FOR THIS INFORMATION. BEFORE EXCAVATION OR CONSTRUCTION CONTACT THE APPROPRIATE UTILITY COMPANIES FOR FIELD VERIFICATION.
- THIS SURVEY IS CERTIFIED EXCLUSIVELY TO: PLAZA STREET PARTNERS.
- THE HORIZONTAL POSITIONAL ACCURACY OF WELL DEFINED IMPROVEMENTS ON THIS SURVEY IS ±0.2'. THE VERTICAL ACCURACY OF ELEVATIONS OF WELL DEFINED IMPROVEMENTS ON THIS SURVEY IS ±0.1'.
- THIS SITE CONTAINS NO MARKED PARKING SPACES.
- THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF COMMITMENT FOR TITLE INSURANCE. ONLY PLATTED OR KNOWN EASEMENTS ARE DEPICTED HEREON.
- ALL RECORDED DOCUMENTS ARE PER BROWARD COUNTY RECORDS UNLESS OTHERWISE NOTED.

5		
4		
3		
2		
1		
NO.	REVISIONS	BY

**SHERWIN WILLIAMS SITE**  
NE 4TH AVENUE & NE 11TH STREET  
FORT LAUDERDALE, BROWARD COUNTY  
FLORIDA 33304

## BOUNDARY AND TOPOGRAPHIC SURVEY

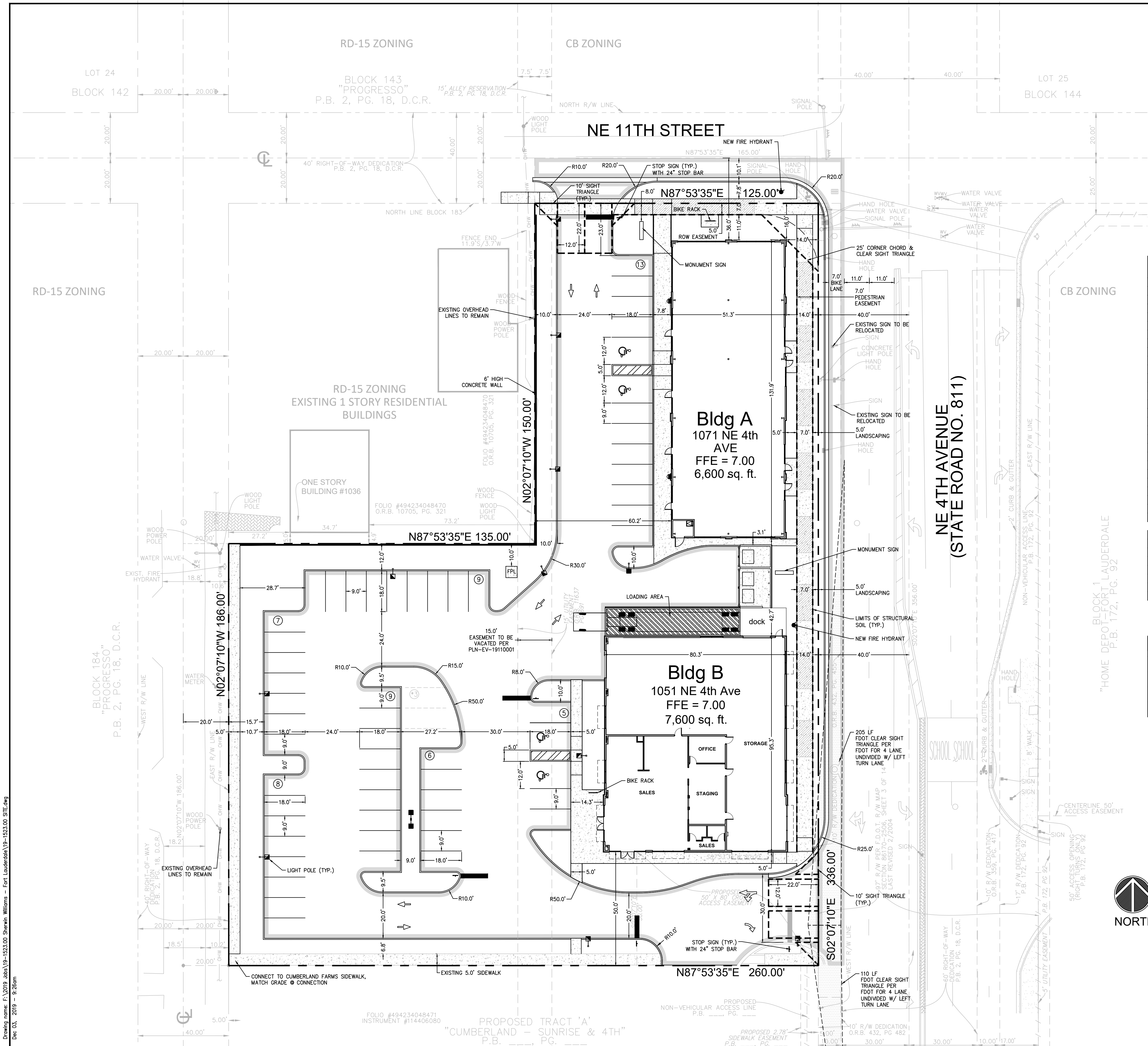


**PULICE LAND SURVEYORS, INC.**  
5381 NOB HILL ROAD  
SUNRISE, FLORIDA 33351  
TELEPHONE: (954) 572-1777  
FAX: (954) 572-1778  
E-MAIL: survey@puliceandsurveyors.com  
WEBSITE: www.puliceandsurveyors.com  
CERTIFICATE OF AUTHORIZATION LB#3870

DRAWN BY: B.E.	SCALE: 1" = 30'	FILE: PLAZA STREET PARTNERS
CHECKED BY: J.F.P.	SURVEY DATE: 07/30/19	ORDER NO.: 68254



Drawing name: F:\2019 jobs\19-1523.00 Sherwin Williams - Fort Lauderdale\19-1523.00 SITE.dwg  
Dec 03, 2019 - 9:26am



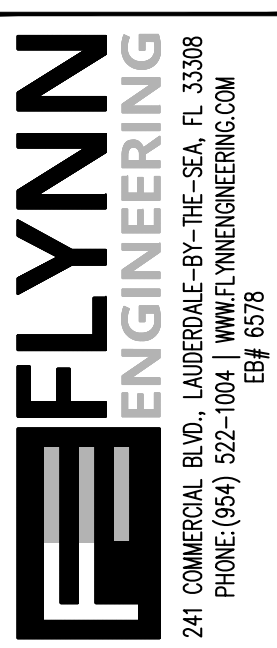
SITE PLAN INFORMATION	
CURRENT USE OF PROPERTY	PARKING LOT
CURRENT LAND USE DESIGNATION	COMMERCIAL
PROPOSED LAND USE DESIGNATION	COMMERCIAL
CURRENT ZONING DESIGNATION	CB & RD-15
PROPOSED ZONING DESIGNATION	CB & XP
ADJACENT ZONING DESIGNATION - NORTH	CB
ADJACENT ZONING DESIGNATION - SOUTH	B-2
ADJACENT ZONING DESIGNATION - EAST	RD-15
ADJACENT ZONING DESIGNATION - WEST	CB & B-2
WATER/ WASTE WATER SERV. PROVIDER	CITY OF FORT LAUDERDALE

TOTAL SITE AREA	67,067 SF
TOTAL PERVIOUS PROPOSED (LANDSCAPE)	12,805 SF
TOTAL PERVIOUS EXISTING	42,621 SF
TOTAL IMPERVIOUS PROPOSED	54,262 SF
TOTAL IMPERVIOUS EXISTING	24,446 SF
TOTAL BUILDING FOOT PRINT PROPOSED	14,200 SF
TOTAL BUILDING SQUARE FOOTAGE PROPOSED	14,200 SF
TOTAL COMMERCIAL SQUARE FOOTAGE PROPOSED	14,200 SF
FLOOR AREA RATIO (F.A.R.)	0.21
TOTAL BUILDING SQUARE FOOTAGE EXISTING	NONE
BUILDING HEIGHT	A: 30', B: 28'
NUMBER OF STORIES	1 STORY
BUILDING WIDTH & LENGTH	A: 80' X 94', B: 55' X 130'
PEDESTRIAN WALKS & PLAZAS	8,612 SF 12.8%
LOT COVERAGE	14,200 SF 21.2%
VUA AREA	31,285 SF 46.6%
OPEN SPACE	21,582 SF 32.2%

PARKING DATA:	AREA	RATIO	REQUIRED	PROVIDED
RETAIL	14,200	1/250 SF	56.8	
LOADING ZONE (TYPE II)				
TOTAL ADA PARKING			NONE	NONE
			3	4
TOTAL PARKING ON-SITE (INCLUDES ADA PARKING)			57	*60

\* 3 POTENTIAL PARKING SPACES HAVE BEEN LOST TO PRESERVE EXISTING SPECIMEN TREE IN ACCORDANCE WITH ULD R SEC. 47-21.12.B.6.

SETBACK TABLE	REQUIRED	PROVIDED
FRONT YARD (NORTH) - NE 11TH STREET	5'	16.0'
FRONT YARD (EAST) - N.E. 4TH AVENUE	5'	14.0'
REAR YARD (WEST)	15'	60.2'
SIDE YARD (SOUTH)	NONE	50.0'



## SITE PLAN

SHERWIN WILLIAMS ON 4TH AVE  
1051, 1071 NE 4TH AVE, FORT LAUDERDALE FL

Phase:  
DRC DOCUMENTS

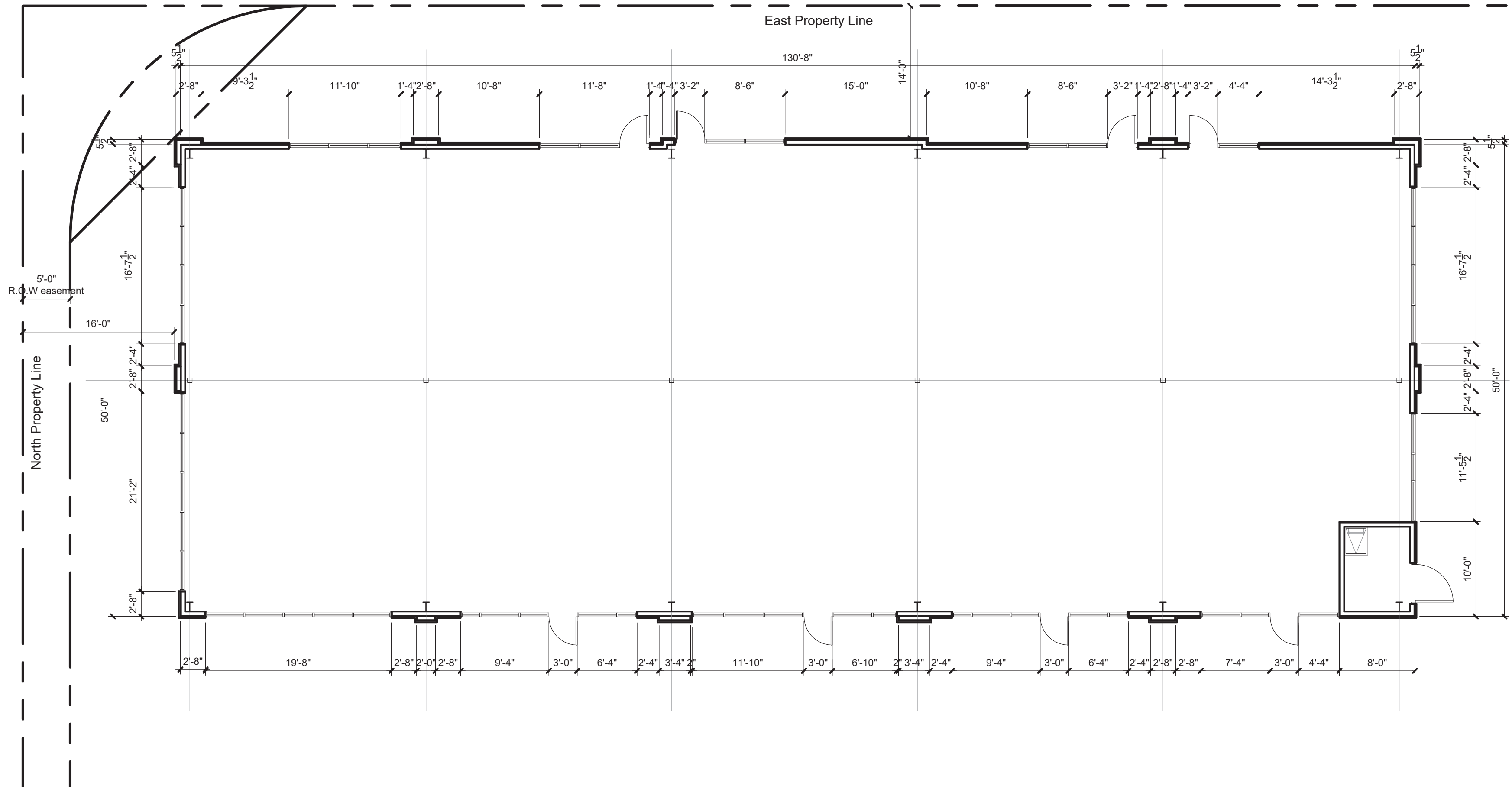
Revisions

Scale: 1"= 20.0'	Date 11/21/19
Job No. 19-1523.00	Plot Date 12/03/19
Drawn by MDI	Sheet No. C1.0
Proj. Mgr. DTR	
Appr. by JMF	1 of 3

4301 Indian Creek Parkway  
Overland Park, KS 66207  
phone: 913.451.8390  
fax: 913.451.8391  
www.davidsonae.com  
In association with the architect:  
RH Sweers II, Proprietor  
RH Sweers Architect  
rhs@sweersarch.com

This drawings has been prepared  
under my supervision and I  
disclaim responsibility for existing  
building, construction or site  
conditions/ improvements, or any  
documents which do not bear my  
signature and seal.

Do not contact the architect for  
bidding information or questions,  
as the architect is not involved in  
bidding!



1 floor plan Building A  
scale: 1/8" = 1'-0"



a new

Sherwin Williams

NW Corner of E. Sunrise Blvd. & NE 4th St.  
Fort Lauderdale, Florida

date  
09.27.2019  
drawn by  
DAE  
checked by  
DAE  
revisions

sheet number

A2.1

drawing type

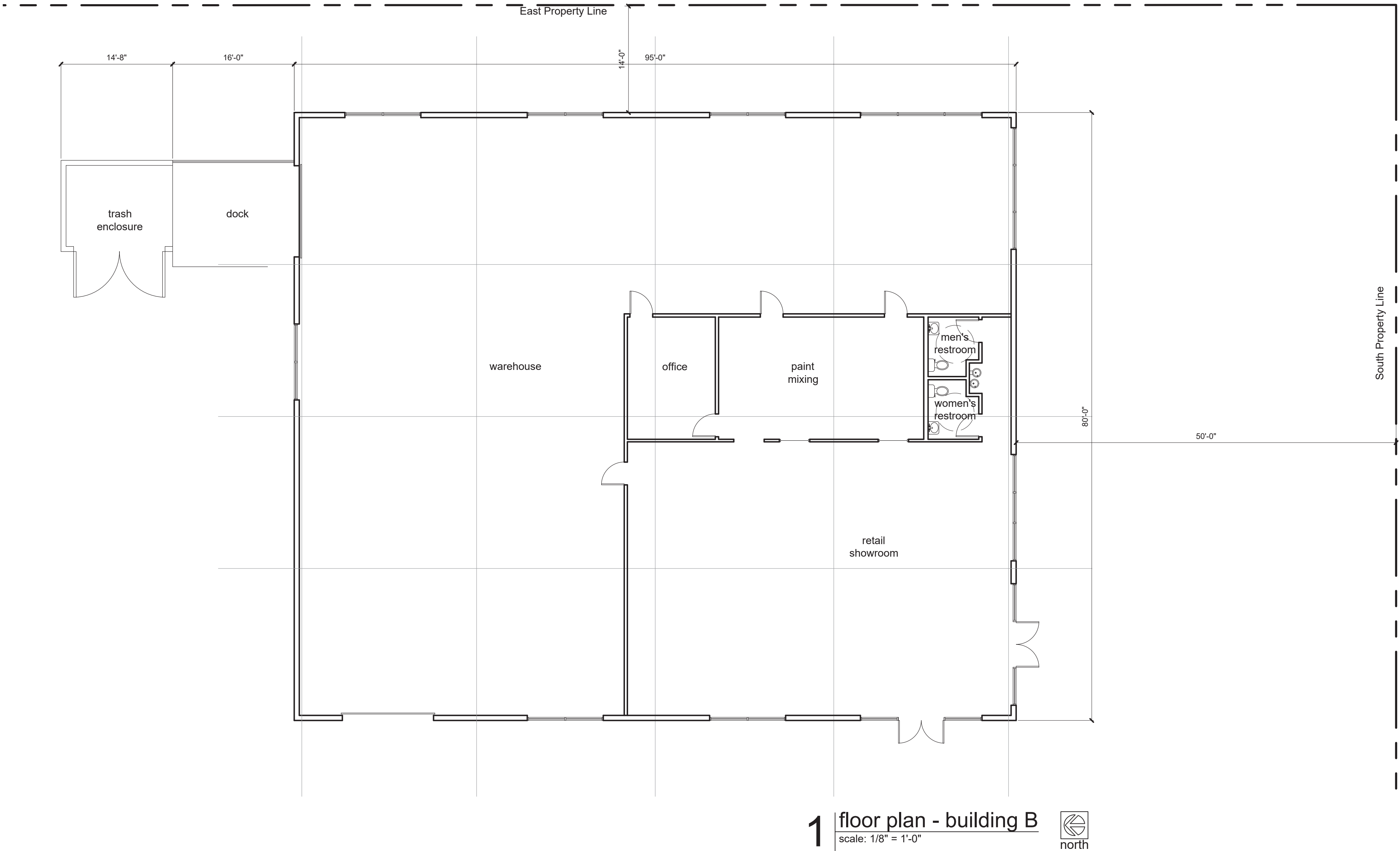
preliminary

project number

19055



4301 Indian Creek Parkway  
Overland Park, KS 66207  
phone: 913.451.8390  
fax: 913.451.8391  
www.davidsonae.com  
In association with the architect:  
RH Sweers II, Proprietor  
RH Sweers Architect  
rhs@sweersarch.com  
This drawing has been prepared  
under my supervision and I  
disclaim responsibility for existing  
building, construction or site  
conditions/ improvements, or any  
documents which do not bear my  
signature and seal.  
Do not contact the architect for  
bidding information or questions,  
as the architect is not involved in  
bidding!



a new  
**Sherwin Williams**  
NW Corner of E. Sunrise Blvd. & NE 4th St.  
Fort Lauderdale, Florida

date  
09.27.2019  
drawn by  
DAE  
checked by  
DAE  
revisions

sheet number  
**A2.1**  
drawing type  
preliminary  
project number  
19055

**exterior materials and finishes**

stucco  
ST1 - fine texture finish, Sherwin Williams, color: SW 6144 Dapper Tan  
ST2 - fine texture finish, Sherwin Williams, color: SW 6141 Softer Tan  
ST3 - fine texture finish, Sherwin Williams, color: SW 6143 Basket Beige

brick:  
Glen-Gery, color: Elyria or approved equal

metal canopies:  
pre-finished Lumishade sun control canopy, Mapes Industries, color: Mapes Bronze

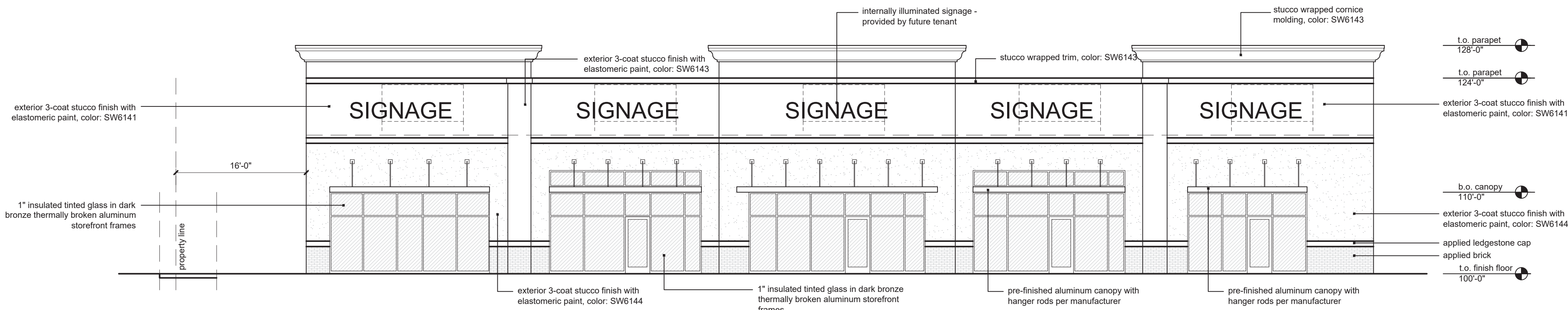
flashing:  
pre-finished metal cap flashing, color to match ST1 - SW6144 Dapper Tan

mortar:  
integral color: buff

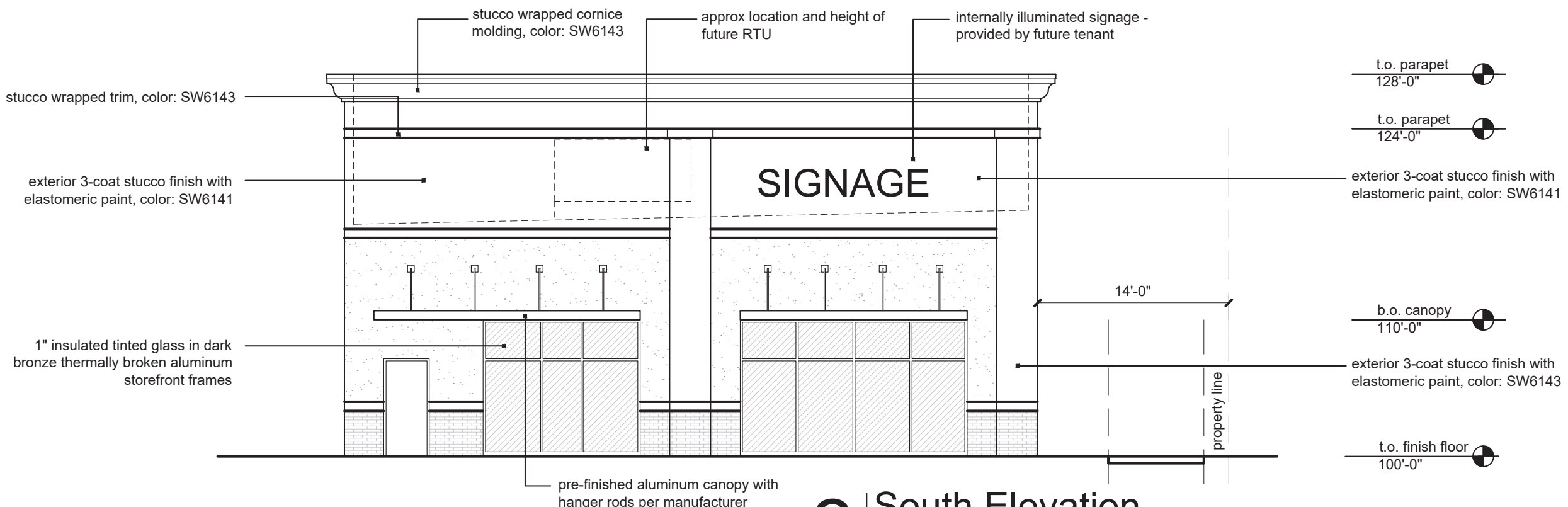
storefront:  
anodized aluminum frame, color: dark bronze

glass:  
1" insulated tinted glass with argon fill  
\*use SOLARBAN 60 as basis

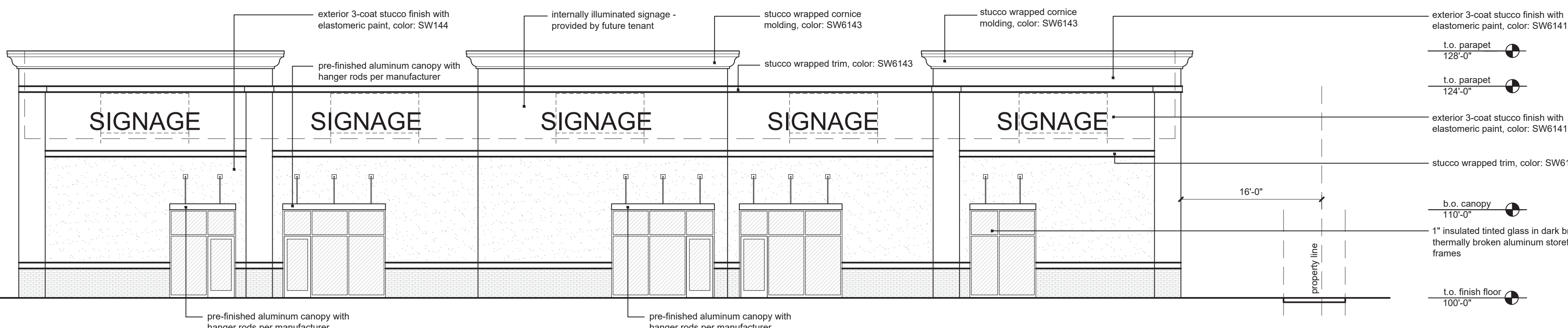
hollow metal door:  
Sherwin Williams, painted to match ST1 - SW6144 Dapper Tan



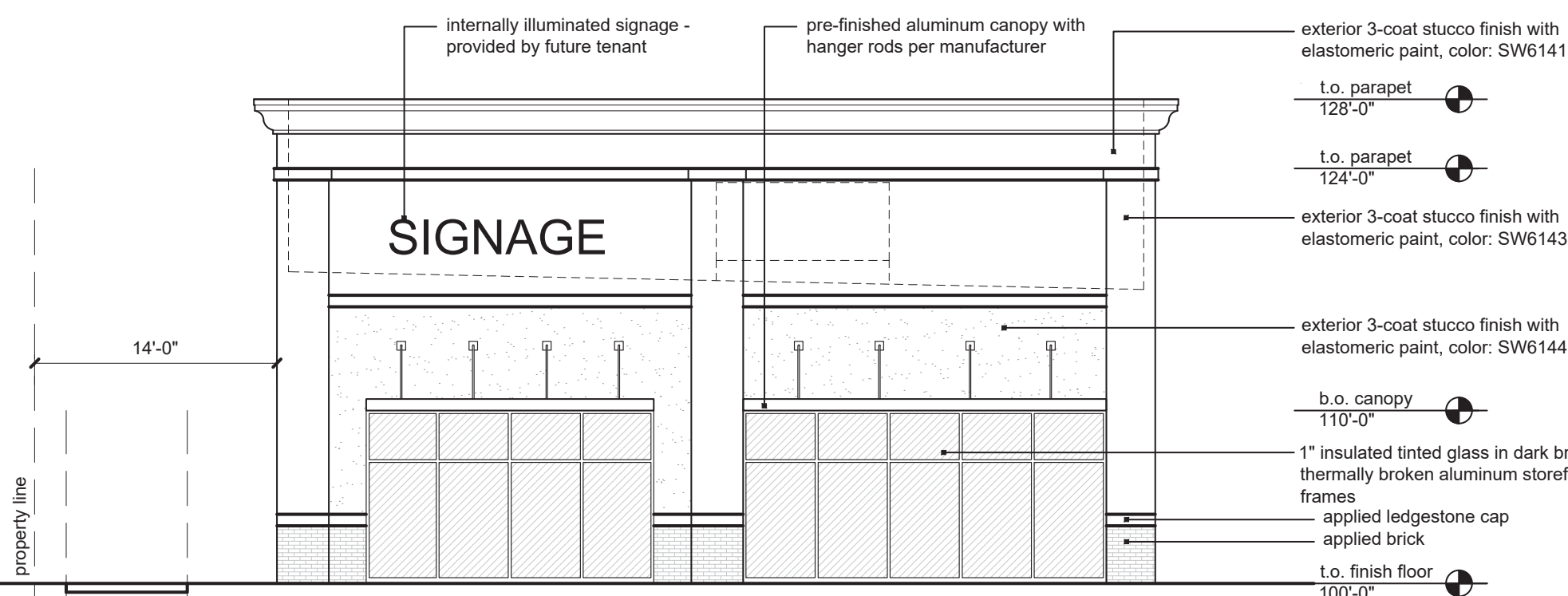
**1 West Elevation**  
scale: 1/8" = 1'-0"



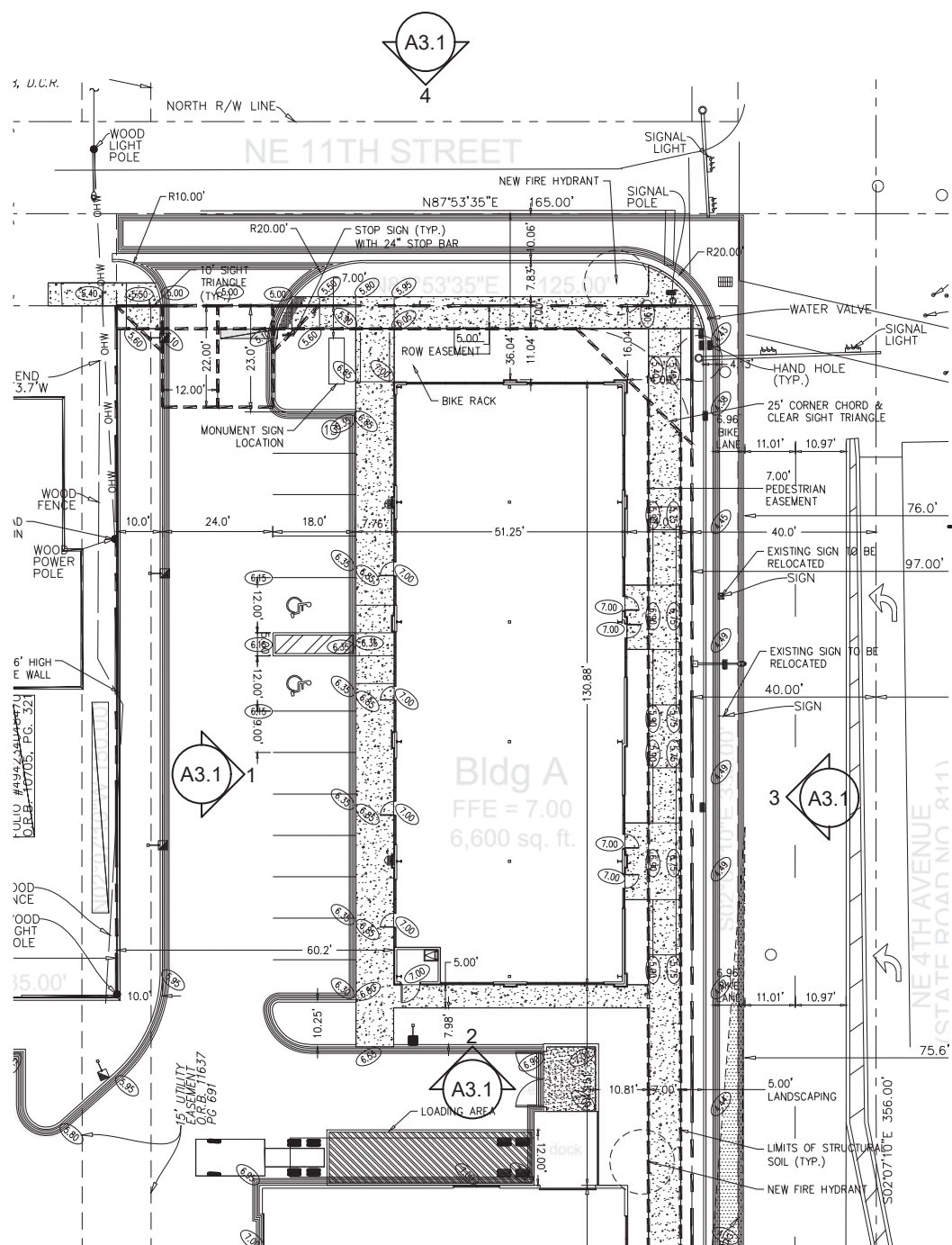
**2 South Elevation**  
scale: 1/8" = 1'-0"



**3 East Elevation**  
scale: 1/8" = 1'-0"



**4 North Elevation**  
scale: 1/8" = 1'-0"

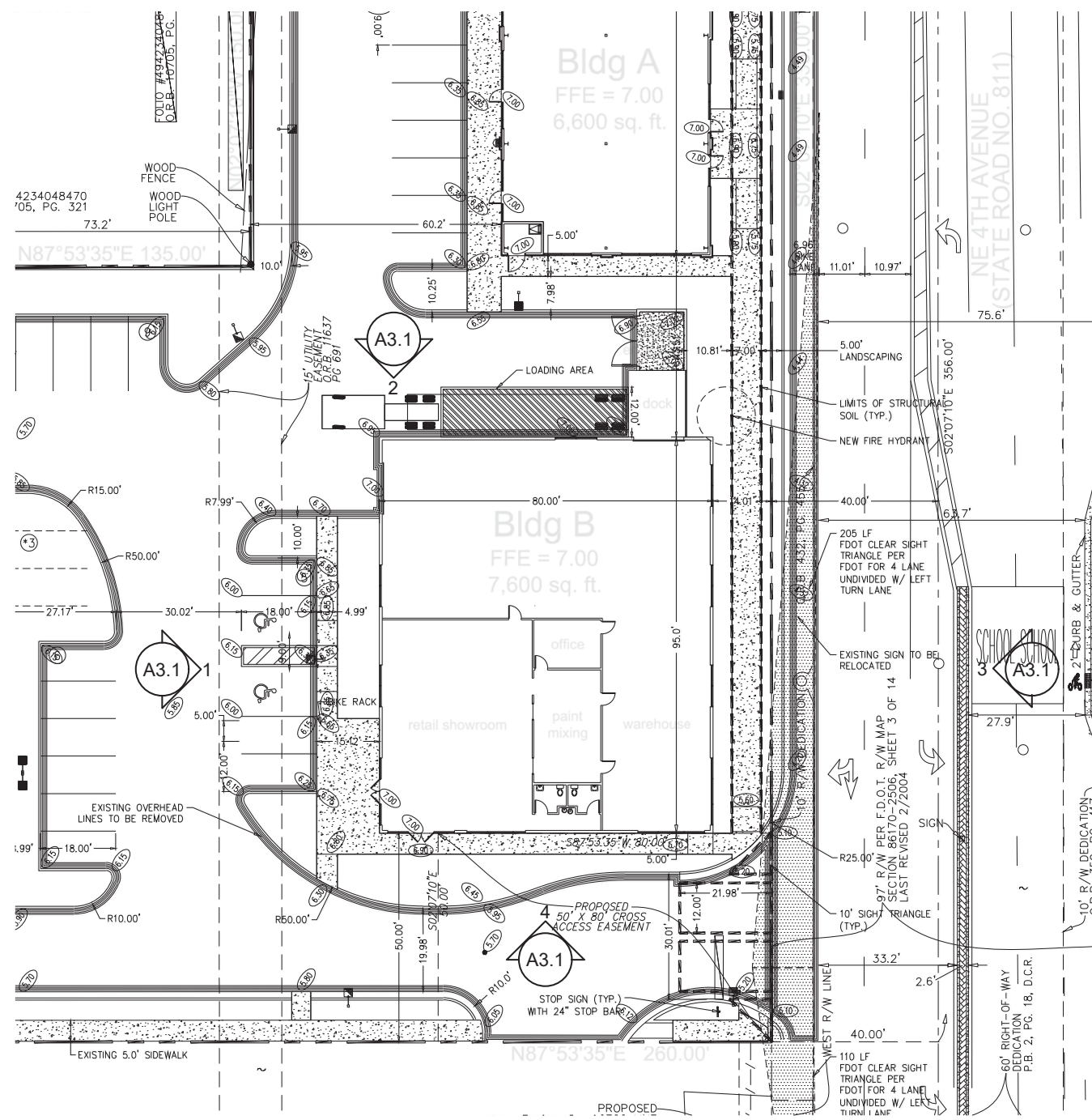
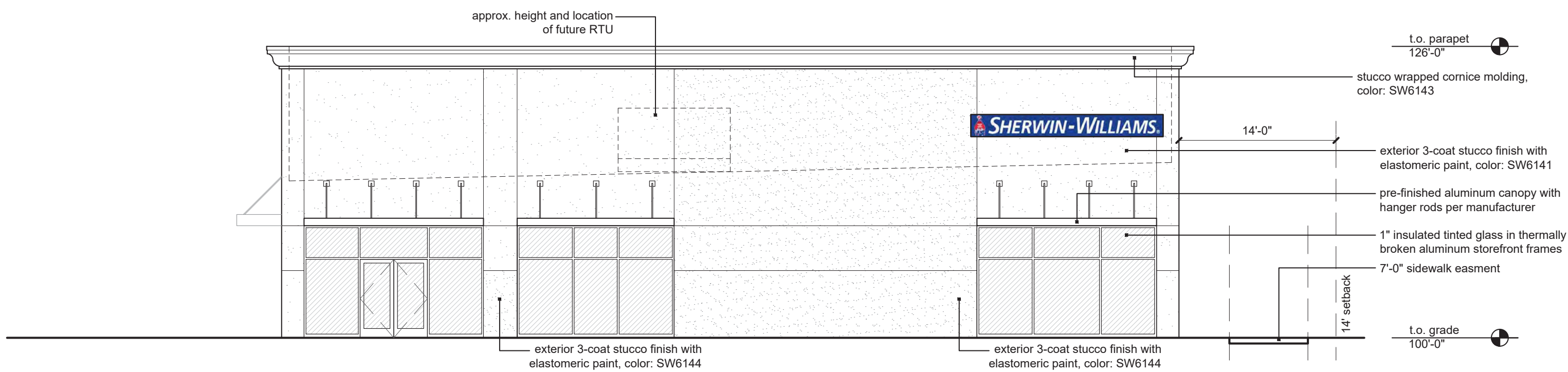
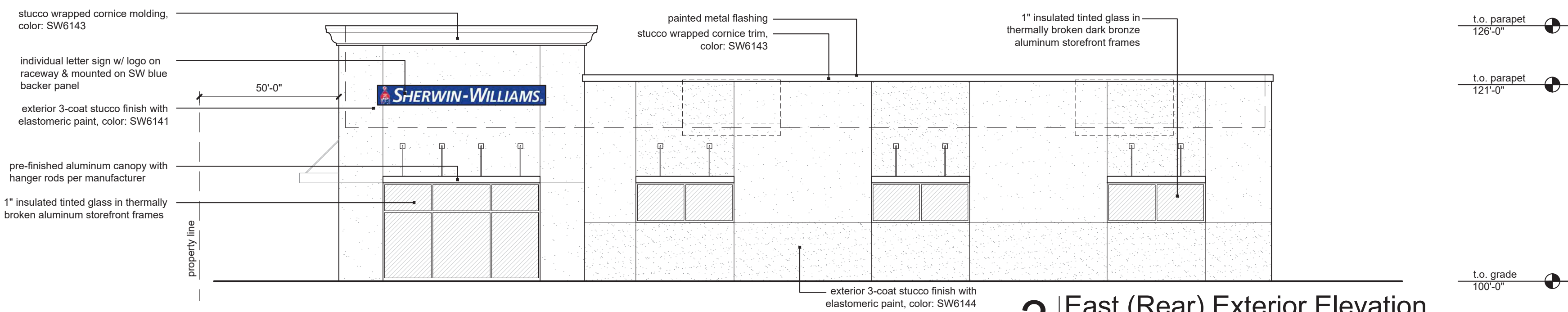
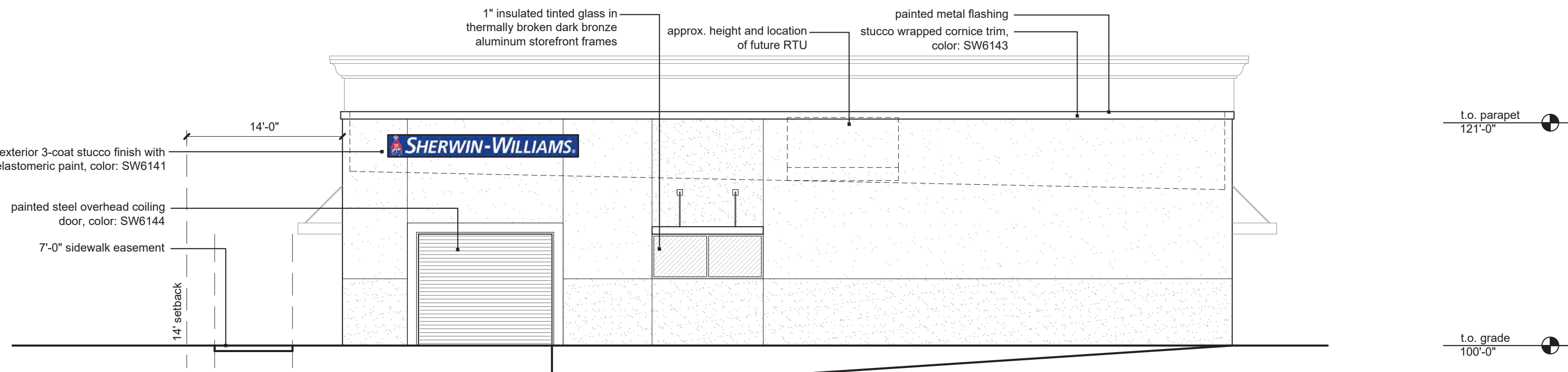
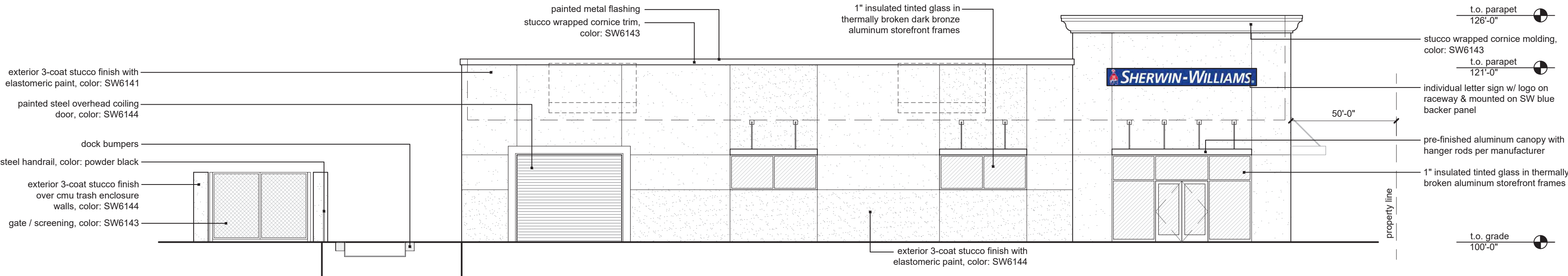


**Key Plan**  
scale: not to scale

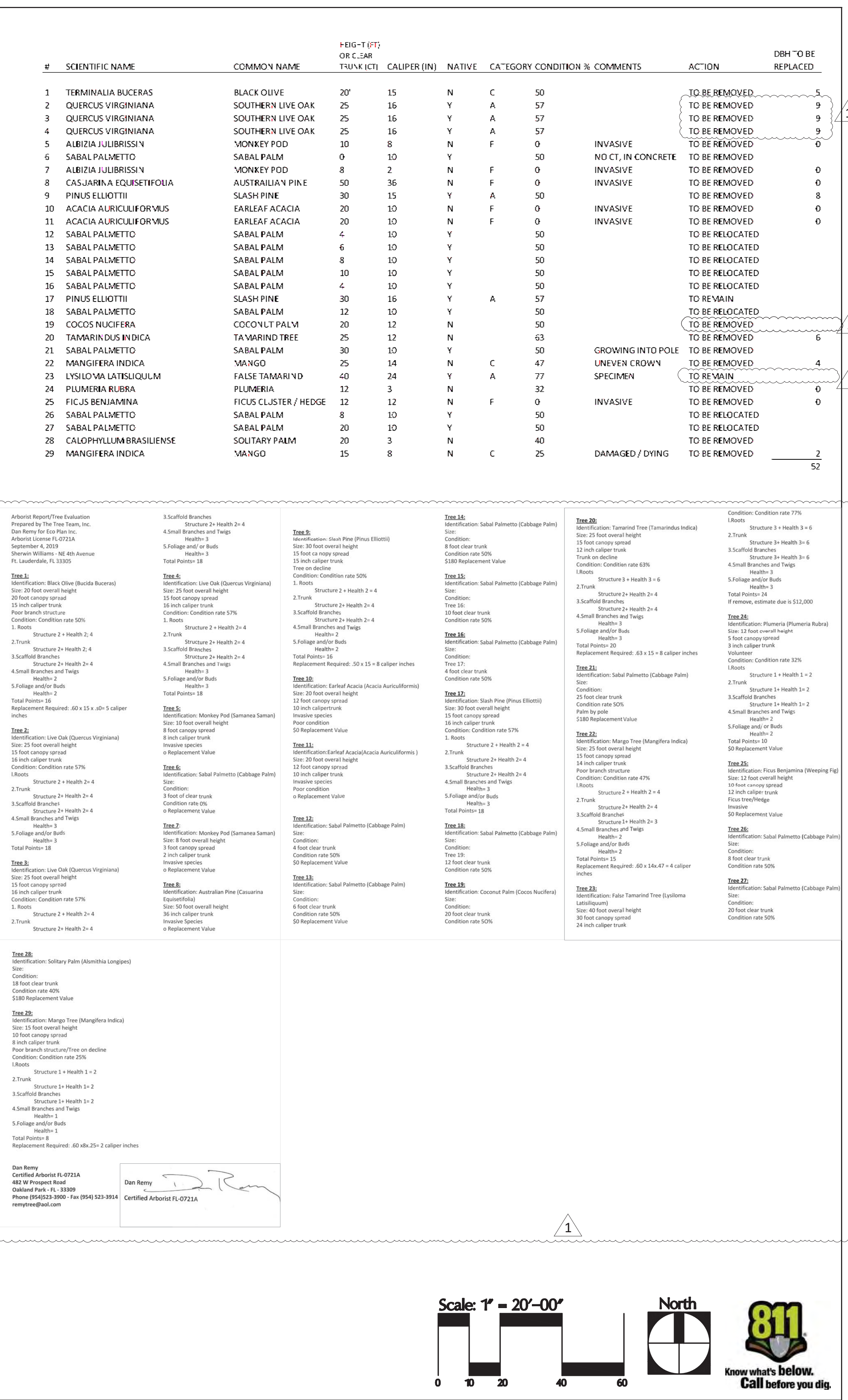


exterior materials and finishes

- stucco
- ST1 - fine texture finish, Sherwin Williams, color: SW 6144  
Dapper Tan
  - ST2 - fine texture finish, Sherwin Williams, color: SW 6141  
Softer Tan
  - ST3 - fine texture finish, Sherwin Williams, color: SW 6143  
Basket Beige
- brick
- Glen-Gery, color: Elyria or approved equal
- metal canopies:
- pre-finished Lumishade sun control canopy, Mapes Industries,  
color: Mapes Bronze
- flashing:
- pre-finished metal cap flashing, color to match ST1 - SW6144  
Dapper Tan
- mortar:
- integral color: buff
- storefront:
- anodized aluminum frame, color: dark bronze
- glass:
- 1" insulated tinted glass with argon fill
  - \*use SOLARBAN 60 as basis
- hollow metal door:
- Sherwin Williams, painted to match ST1 - SW6144 Dapper Tan

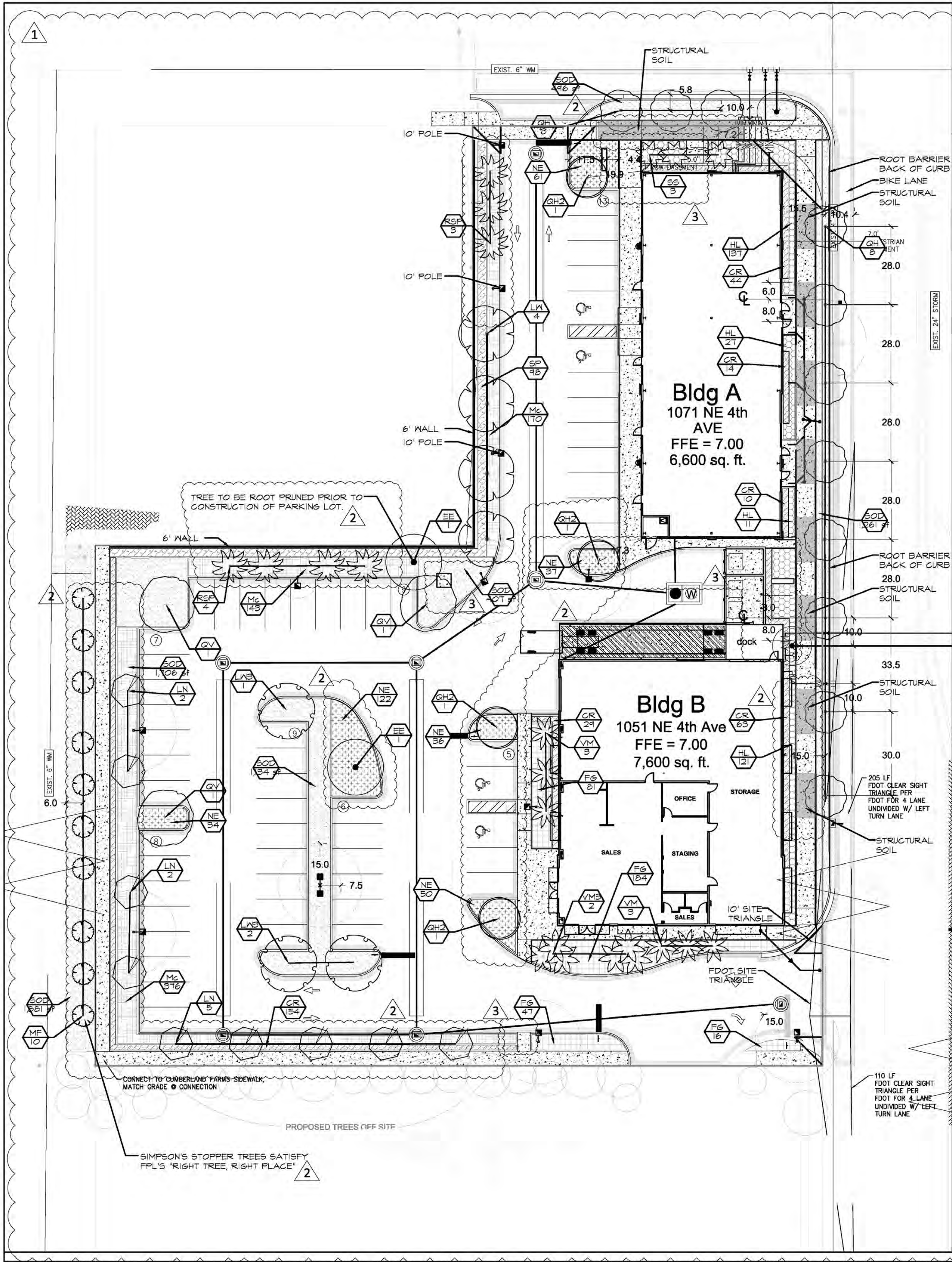






CAM # 20-0098  
Exhibit 2  
Page 69 of 104





PLANT SCHEDULE							
TREES	CODE	BOTANICAL NAME	COMMON NAME	CONTAINER	SIZE	DBH	QTY
•	EE	Existing Tree	Existing Tree	—			7
•	LN	Lagerstroemia x 'Natchez'	Crape Myrtle	FG/BB	12' HT, 5-6' SPR	2.5" MIN	9
•	LW	Lysioloma latisiliqua	Wild Tamarind	FG/BB	12' HT, 5-6' SPR	2.5" MIN	4
•	LW3	Lysioloma latisiliqua	Wild Tamarind	FG/BB	12' HT, 5-6' SPR	3.5" MIN	3
•	MF	Myrcianthes fragrans	Simpson's Stopper	FG/BB	10' HT, X 5' SPR		10
•	QV	Quercus virginiana	Southern Live Oak	FG/BB	14' HT, X 7' SPR	3.5" MIN	3
•	QH2	Quercus virginiana 'High Rise'	High Rise Live Oak	FG/BB	12' HT, 4'-5' SPR	2.5" MIN	4
•	QH	Quercus virginiana 'High Rise'	High Rise Live Oak	FG/BB	16'-18' HT, 4'-5' SPR, 6' CT	3.5" MIN	11
•	SS	Sabal palmetto	Cabbage Palmetto	FG/BB	10-14' CT		3
PALMS	CODE	BOTANICAL NAME	COMMON NAME	CONTAINER	SIZE	DBH	QTY
•	VM3	Veitchia montgomeryana	Montgomery Palm - Triple	FG/BB	18' - 24' CT		2
•	VM	Veitchia montgomeryana	Montgomery Palm	FG/BB	20' CT		6
RELOCATED TREES	CODE	BOTANICAL NAME	COMMON NAME	CONTAINER	SIZE	DBH	QTY
•	RSP	Sabal palmetto	Cabbage Palmetto	—	Transplant		7
SHRUB AREAS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	SPACING		QTY
•	CR	Chrysobalanus icaco 'Red Tip'	Red Tip Cocoplum	24"HT, 24" SPR		24" o.c.	320
•	HL	Hymenocallis latifolia	Spider Lily	18" x 18"		24" o.c.	292
•	NE	Nephrolepis exaltata	Boston Fern	18" x 18"		24" o.c.	350
•	SP	Syzygium paniculatum	Brush Cherry	48" HT x 30" SPR		36" o.c.	98
GROUND COVERS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	SPACING		QTY
•	FG	Ficus microcarpa 'Green Island'	Green Island Ficus	16" HT, 16" SPR		24" o.c.	328
•	Mc	Muhlenbergia capillaris	Pink Muhly	16" X 16"		24" o.c.	694
•	SOD	Stenotaphrum secundatum 'St. Augustine'	Seville Sod	—			5,802 sf

Landscape Calculations - Sherwin Williams			
Site Area			67,067 SF
Sec. 47-21.8-R		Required	Provided
Irrigated turfgrass no more than 50% of the landscaped area	Landscaped area = 12,805 sf	<6,403 sf turf	5,802 sf
Sec. 47-21.8-S		Required	Provided
Native and drought-tolerant landscaping must be a minimum of 50% of the non-turfgrass landscaped area	Non-turfgrass landscaped area = 7,003	50%	75%
Sec. 47-21.12-A-1		Required	Provided
Landscaping shall be provided in a square foot area equal to a minimum of 20% of the gross VUA	VUA = 31,285 sf	6,257 sf	8,756 sf
Sec. 47-21.12-A-3		Required	Provided
Interior landscape area. At least thirty (30) square feet of interior landscape area shall be provided for every interior parking and loading space and shall not be part of any perimeter landscape area.	57 spaces	1,710 sf	7,809 sf
Perimeter landscape area			4,996 sf
Sec. 47-21.12-C-1		Required	Provided
One (1) tree and (6) six shrubs shall be required for every one thousand (1,000) sf of VUA	VUA = 31,285 sf	31 trees, 186 shrubs	32 trees, 200 shrubs
75% of the required trees shall be shade species with 3.5" minimum caliper. 25% with 2.5" shade species. 20% should be flowering, 20% should be palms, 10% optional species.		16 shade trees 6 flowering 3 palms 3 other	16 shade trees 2 are existing 8 flowering 8 palms
Sec. 47-21.13-1		Required	Provided
There shall be at least (1) tree for each one thousand (1,000) sf of net lot area - in addition to VUA requirements - 20% shall be shade trees	Net lot area = 6,549 sf	7 trees (1 shade)	4 trees (1 shade)
Sec. 47-21.13-2		Required	Provided
See Sec. 47-21.12-A-3 and Sec. 47-21.12-C-1 above			
Sec. 47-21.13-10		Required	Provided
Diversity of tree mix - Of the overall number of trees required, not more than one-half of the required tree count can be of (1) genus. At least 40% of all required trees shall consist of native species.		58 required trees total = < 29 of one species and > 40% native	18 of one species and > 80% native required trees
Sec. 47-21.13-16		Required	Provided
Street trees shall be planted in an area located between the roadway and the property line. A minimum of 50% of the required street trees shall be shade trees. Street trees shall be provided at a ratio of one street tree per 40 feet of street frontage. If overhead utilities exist, required street trees may be small trees provided at a ratio of one street tree per 20 feet of street frontage. Minimum heights in Section 47-21.	4th Ave = 333.7' / 40 = 8 trees NE 11 St = 174' / 40 = 3 trees NE 3 Ave = 180' / 20 = 9 trees overhead utilities @ 3rd Ave	4th Ave = 8 trees NE 11 St = 3 trees NE 3 Ave = 9 trees	4th Ave = 8 shade trees NE 11 St = 3 shade trees NE 3 Ave = 10 trees



PREPARED BY:  
**ECOPLAN**  
ECOLOGICAL / ENVIRONMENTAL LAND PLANNING  
LAND USE ANALYSIS - LANDSCAPE ARCHITECTURE  
888 SOUTH HANOVER AVENUE, SUITE 300  
FORT LAUDERDALE, FLORIDA 33304  
PHONE (954) 524-9722 FAX (954) 524-1829  
www.ecoplan-fl.com

PREPARED FOR:

**DRC SUBMITTAL**

**SHERWIN WILLIAMS**  
FORT LAUDERDALE, FL  
NE 4TH AVE

**PLANTING PLAN**

DATE: 7/25/19  
PROJECT NUMBER: 1919  
DRAWN BY: HAP  
CHECKED BY: JH  
SCALE: 1/2" = 1'-0"  
REVISION: DATE BY:  
1 DRC CMNT 10/2/19 HAP  
2 DRC CMNT 10/24/19 HAP  
3 DRC CMNT 12/6/19 HAP

SEAL

12.6.19  
SHEET NUMBER:  
**LAPL-1**







# Luminaire Schedule

Symbol	Qty	Label	Arrangement	LMF	Lum. Lumens	Lum. Watts	Part Number
	3	3MB2	SINGLE	1.010	5996	93	ARE-EDG-3MB-DA-04-E-UL-BZ-700-57K-DIM
	5	3MB	SINGLE	1.010	8891	134	ARE-EDG-3MB-DA-06-E-UL-BZ-700-57K-DIM
	1	4M	SINGLE	1.010	12678	134	ARE-EDG-4M-DA-06-E-UL-BZ-700-57K-DIM
	2	4MB	SINGLE	1.010	9549	134	ARE-EDG-4MB-DA-06-E-UL-BZ-700-57K-DIM
	1	5M-2	D180°	1.010	13336	134	ARE-EDG-5M-DA-06-E-UL-BZ-700-57K-DIM
	2	X-3M-4L	SINGLE	1.000	4270	31	XSPW-B-WM-3ME-4L-57K-

## Luminaire Location Summary

LumNo	Label	MH
1	3MB	15
2	3MB	15
3	3MB	15
4	3MB	15
5	3MB	15
6	3MB2	10
7	3MB2	10
8	3MB2	10
9	4M	15
10	4MB	15
11	4MB	15
12	5M-2	15
13	X-3M-4L	14
14	X-3M-4L	14

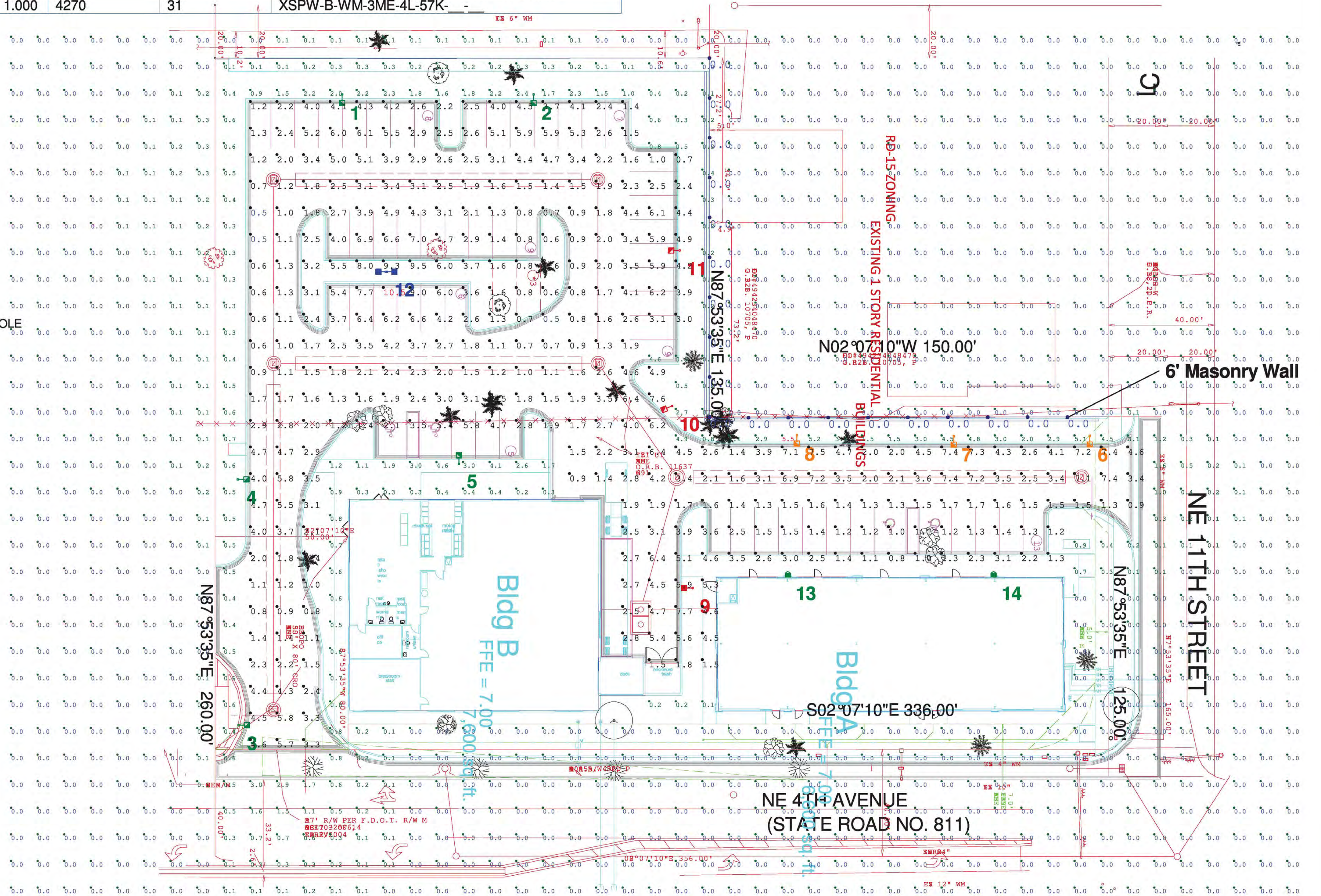
\*\*\*Poles by Other\*\*\*

ALL POLE MOUNTED FIXTURES ARE MOUNTED ON A 15FT POLE ATOP A CONCRETE BASE FLUSH AT GRADE.

\*\*\* CUSTOMER TO VERIFY ORDERING INFORMATION AND CATALOGUE NUMBER PRIOR TO PLACING ORDER \*\*\*

## FOOTCANDLE LEVELS CALCULATED AT GRADE USING INITIAL LUMEN VALUES

Label	Units	Avg	Max	Min	Avg/Min	Max/Min
PAVED AREA	Fc	3.02	10.5	0.5	6.04	21.00
Property Line	Fc	0.00	0.0	0.0	N.A.	N.A.
UNDEFINED AREA	Fc	0.17	5.5	0.0	N.A.	N.A.



**CREE LIGHTING**

A COMPANY OF IDEAL INDUSTRIES, INC.  
9201 Washington Ave, Racine, WI 53406 https://creeighting.com - (800) 236-6800

Illumination results shown on this lighting design are based on project parameters provided to Cree Lighting used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying dimensional accuracy along with compliance with any applicable electrical, lighting, or energy code.

Project Name: Sherwin Williams NW Corner of E. Sunrise Blvd. & NE 4th St.

SR-37749

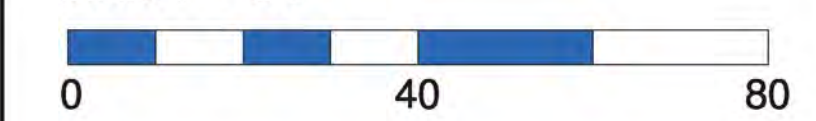
Footcandles calculated at grade

Filename: SW-190715FLFLBAFR2.A

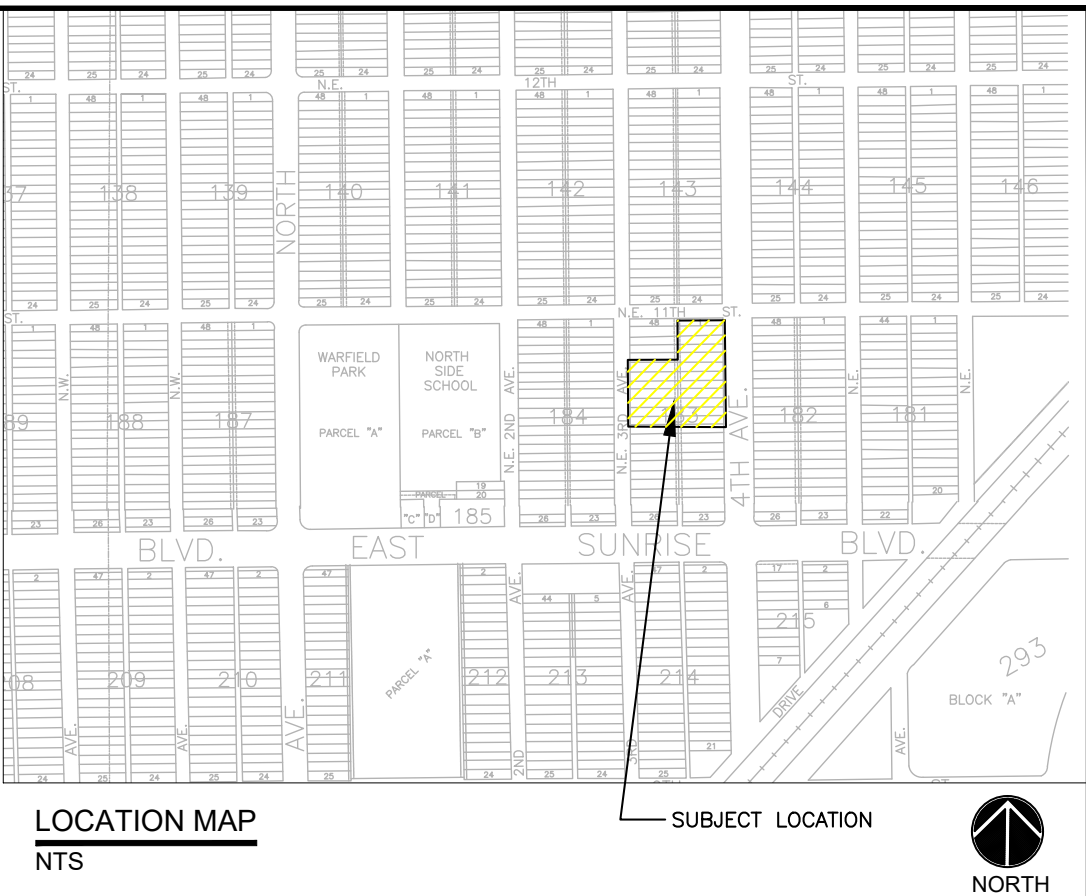
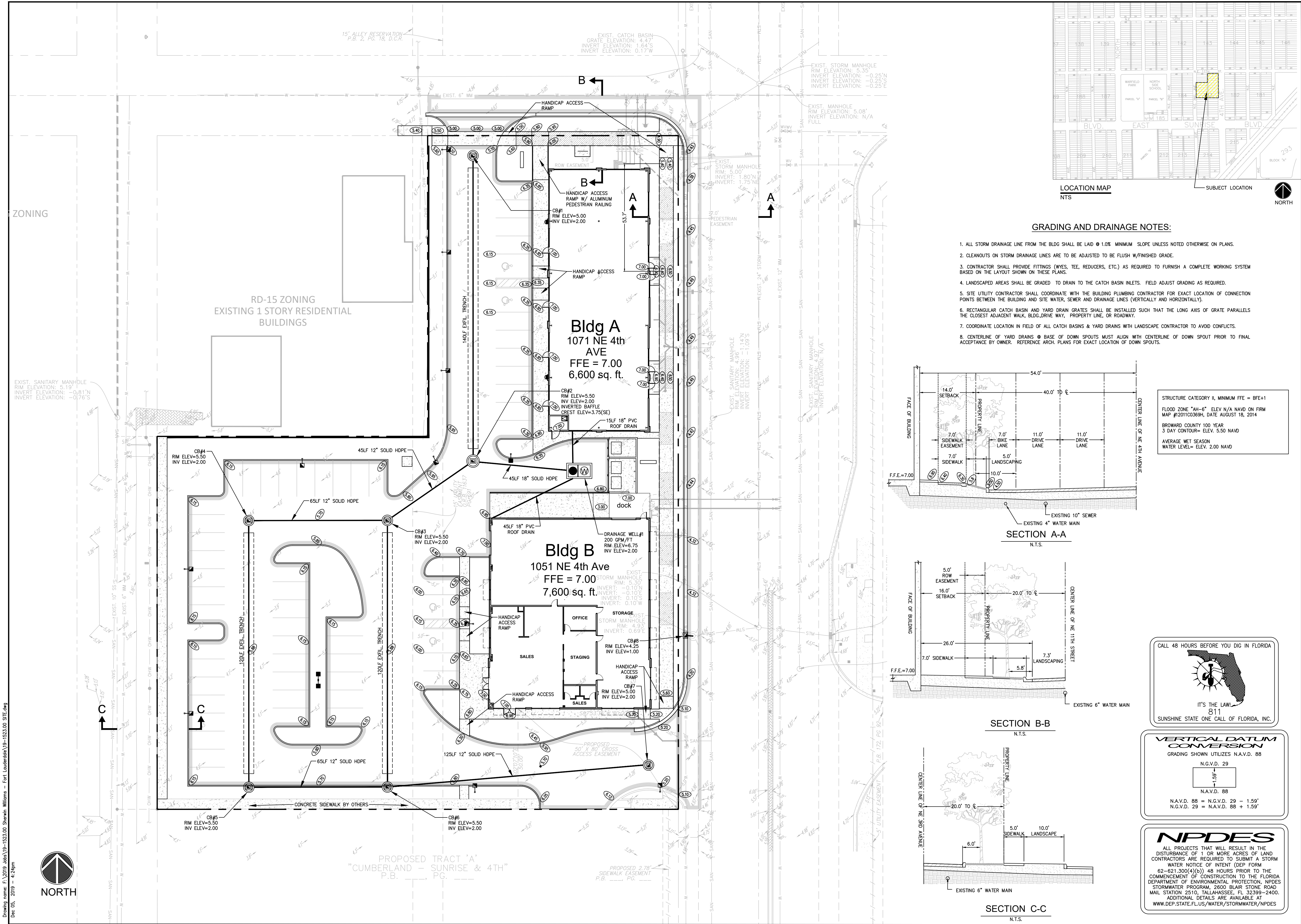
Layout By: Ben Foster

Date: 9/26/2019

Scale 1" = 20'

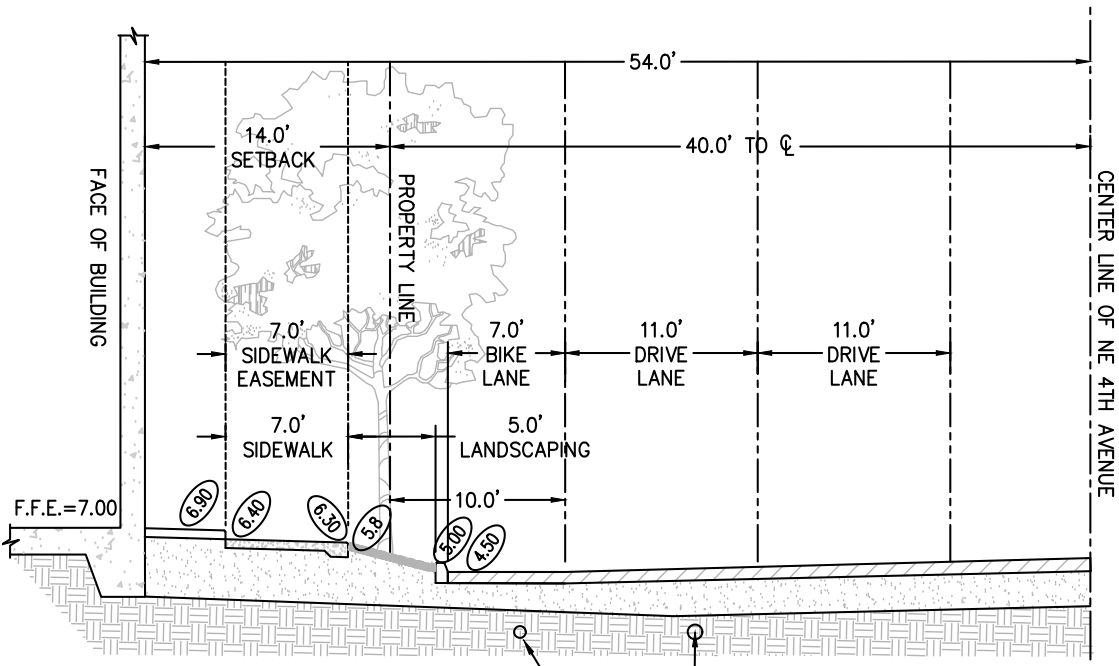




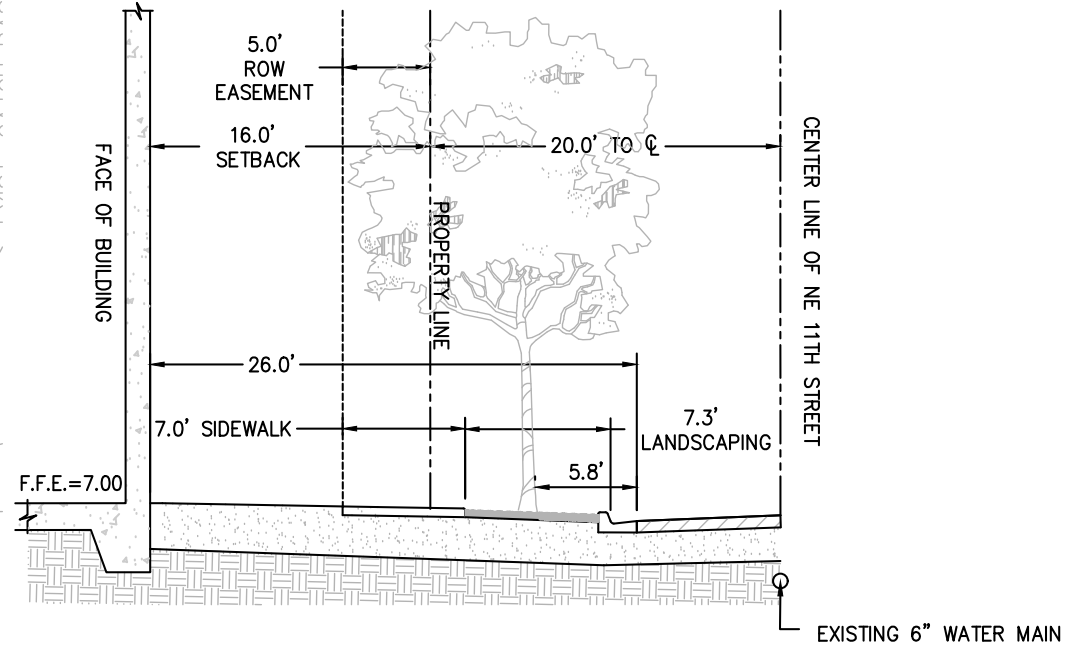


GRADING AND DRAINAGE NOTES:

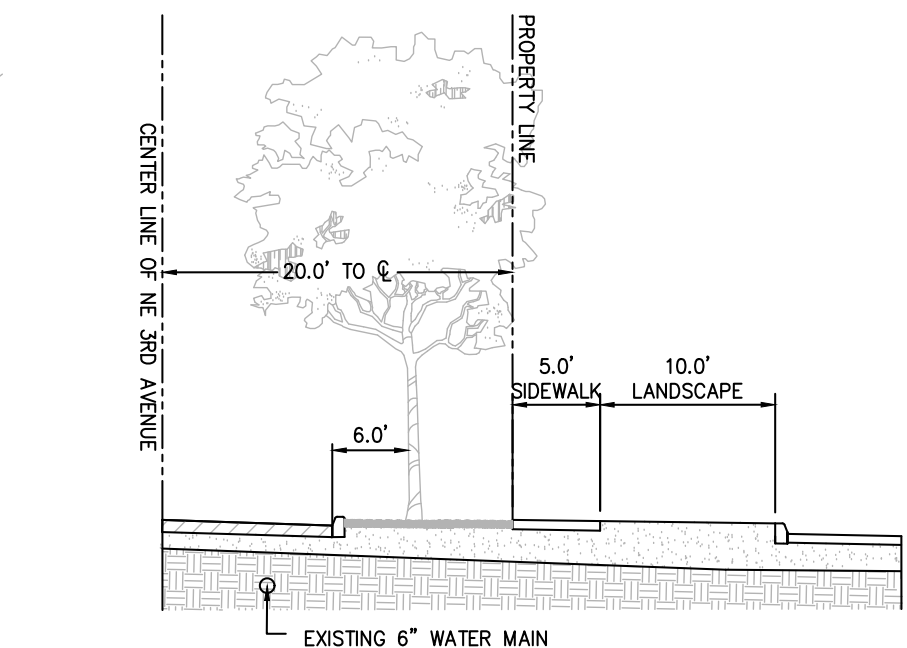
1. ALL STORM DRAINAGE LINE FROM THE BLDG SHALL BE LAID @ 1.0% MINIMUM SLOPE UNLESS NOTED OTHERWISE ON PLANS.
2. CLEANOUTS ON STORM DRAINAGE LINES ARE TO BE ADJUSTED TO BE FLUSH W/FINISHED GRADE.
3. CONTRACTOR SHALL PROVIDE FITTINGS (WYES, TEE, REDUCERS, ETC.) AS REQUIRED TO FURNISH A COMPLETE WORKING SYSTEM BASED ON THE LAYOUT SHOWN ON THESE PLANS.
4. LANDSCAPED AREAS SHALL BE GRADED TO DRAIN TO THE CATCH BASIN INLETS. FIELD ADJUST GRADING AS REQUIRED.
5. SITE UTILITY CONTRACTOR SHALL COORDINATE WITH THE BUILDING PLUMBING CONTRACTOR FOR EXACT LOCATION OF CONNECTION POINTS BETWEEN THE BUILDING AND SITE WATER, SEWER AND DRAINAGE LINES (VERTICALLY AND HORIZONTALLY).
6. RECTANGULAR CATCH BASIN AND YARD DRAIN GRATES SHALL BE INSTALLED SUCH THAT THE LONG AXIS OF GRATE PARALLELS THE CLOSEST ADJACENT WALK, BLDG.DRIVE WAY, PROPERTY LINE, OR ROADWAY.
7. COORDINATE LOCATION IN FIELD OF ALL CATCH BASINS & YARD DRAINS WITH LANDSCAPE CONTRACTOR TO AVOID CONFLICTS.
8. CENTERLINE OF YARD DRAINS @ BASE OF DOWN SPOUTS MUST ALIGN WITH CENTERLINE OF DOWN SPOUT PRIOR TO FINAL ACCEPTANCE BY OWNER. REFERENCE ARCH. PLANS FOR EXACT LOCATION OF DOWN SPOUTS.



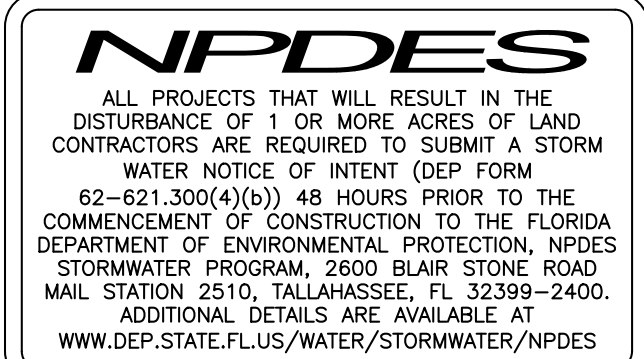
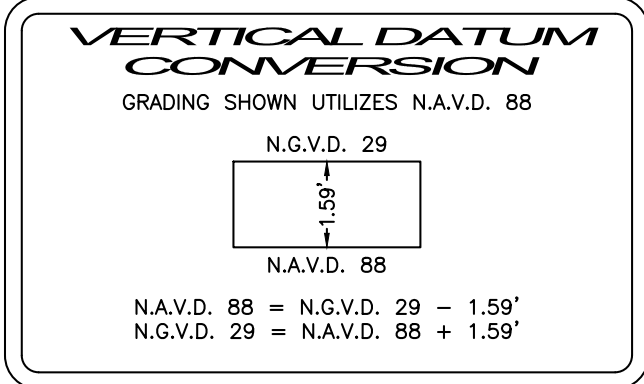
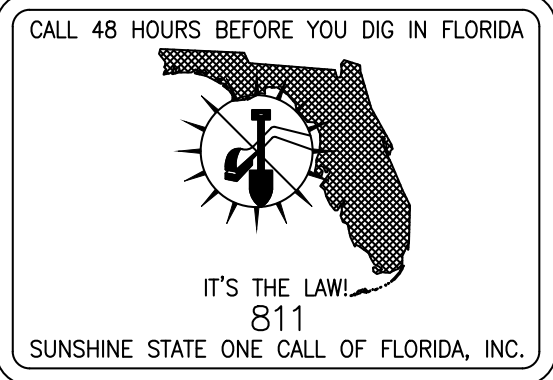
STRUCTURE CATEGORY II, MINIMUM FFE = BFE+1  
FLOOD ZONE "AH-6" ELEV N/A NAVD ON FIRM  
MAP #2011003694, DATE AUGUST 18, 2014  
BROWARD COUNTY 100 YEAR  
3 DAY CONTINGUUM ELEV. 5.50 NAVD  
AVERAGE WET SEASON  
WATER LEVEL= ELEV. 2.00 NAVD



SECTION B-B  
N.T.S.



SECTION C-C  
N.T.S.



CONCEPTUAL PAVING GRADING  
& DRAINAGE PLAN

SHERWIN WILLIAMS ON 4TH AVE  
1051, 1071 NE 4TH AVE, FORT LAUDERDALE FL

Phase:	
DRC DOCUMENTS	
Revisions	
Scale:	Date
1" = 20.0'	08/14/19
Job No.	Plot Date
19-1523.00	12/05/19
Drawn by	Sheet No.
MDI	C2.0
Proj. Mgr.	
DTR	
Appr. by	2 of 3
JMF	





Drawing name: F:\2019 jobs\19-1523.00 Sherwin Williams - Fort Lauderdale\19-1523.00 SITE.dwg  
Dec 05, 2019 - 4:26pm

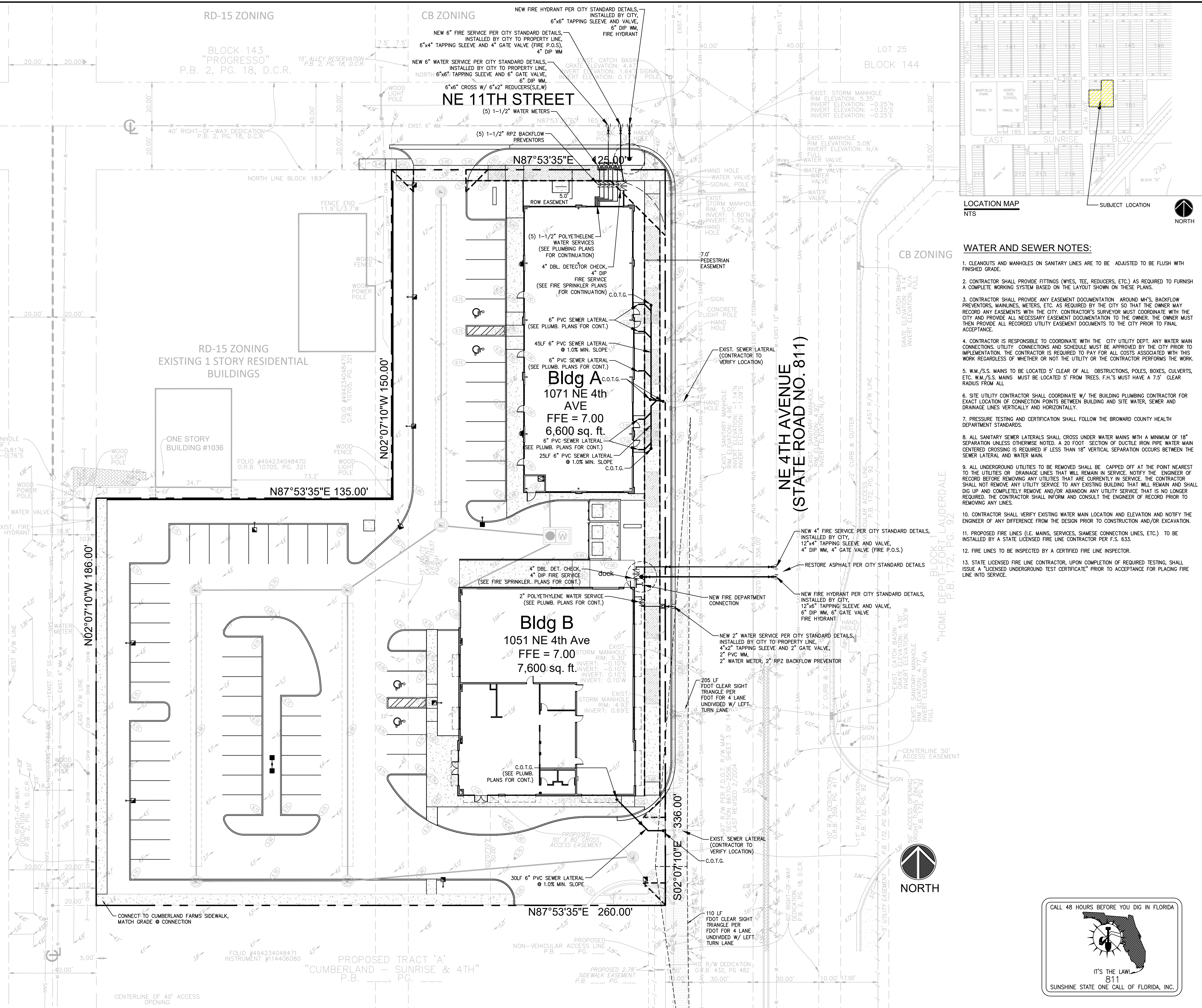
**VERTICAL DATUM CONVERSION**  
GRADING SHOWN UTILIZES N.A.V.D. 88

N.G.V.D. 29  
1.59'  
N.A.V.D. 88

N.A.V.D. 88 = N.G.V.D. 29 - 1.59'  
N.G.V.D. 29 = N.A.V.D. 88 + 1.59'

**NPDES**

ALL PROJECTS THAT WILL RESULT IN THE DISTURBANCE OF 1 OR MORE ACRES OF LAND, CONTRACTORS ARE REQUIRED TO SUBMIT A STORM WATER NOTICE OF INTENT (DEP FORM 62-621.300(4)(b)) 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, NPDES STORMWATER PROGRAM, 2600 BLAIR STONE ROAD, MAIL STATION 2510, TALLAHASSEE, FL 32399-2400. ADDITIONAL DETAILS ARE AVAILABLE AT WWW.DEP.STATE.FL.US/WATER/STORMWATER/NPDES



**LOCATION MAP**  
NTS

SUBJECT LOCATION

NORTH

- WATER AND SEWER NOTES:**
- CLEANOUTS AND MANHOLES ON SANITARY LINES ARE TO BE ADJUSTED TO BE FLUSH WITH FINISHED GRADE.
  - CONTRACTOR SHALL PROVIDE FITTINGS (WYES, TEE, REDUCERS, ETC.) AS REQUIRED TO FURNISH A COMPLETE WORKING SYSTEM BASED ON THE LAYOUT SHOWN ON THESE PLANS.
  - CONTRACTOR SHALL PROVIDE ANY EASEMENT DOCUMENTATION AROUND WH'S, BACKFLOW PREVENTORS, MAINLINES, METERS, ETC. AS REQUIRED BY THE CITY SO THAT THE OWNER MAY RECORD ANY EASEMENTS WITH THE CITY. CONTRACTOR'S SURVEYOR MUST COORDINATE WITH THE CITY AND PROVIDE ALL NECESSARY EASEMENT DOCUMENTATION TO THE OWNER. THE OWNER MUST THEN PROVIDE ALL RECORDED UTILITY EASEMENT DOCUMENTS TO THE CITY PRIOR TO FINAL ACCEPTANCE.
  - CONTRACTOR IS RESPONSIBLE TO COORDINATE WITH THE CITY UTILITY DEPT. ANY WATER MAIN CONNECTIONS, UTILITY CONNECTIONS AND SCHEDULE MUST BE APPROVED BY THE CITY PRIOR TO IMPLEMENTATION. THE CONTRACTOR IS REQUIRED TO PAY FOR ALL COSTS ASSOCIATED WITH THIS WORK REGARDLESS OF WHETHER OR NOT THE UTILITY OR THE CONTRACTOR PERFORMS THE WORK.
  - W.M./S.S. MAINS TO BE LOCATED 5' CLEAR OF ALL OBSTRUCTIONS, POLES, BOXES, OLIVERTS, ETC. W.M./S.S. MAINS MUST BE LOCATED 5' FROM TREES. F.H.'S MUST HAVE A 7.5' CLEAR RADIUS FROM ALL.
  - SITE UTILITY CONTRACTOR SHALL COORDINATE W/ THE BUILDING PLUMBING CONTRACTOR FOR EXACT LOCATION OF CONNECTION POINTS BETWEEN BUILDING AND SITE WATER, SEWER AND DRAINAGE LINES VERTICALLY AND HORIZONTALLY.
  - PRESSURE TESTING AND CERTIFICATION SHALL FOLLOW THE BROWARD COUNTY HEALTH DEPARTMENT STANDARDS.
  - ALL SANITARY SEWER LATERALS SHALL CROSS UNDER WATER MAINS WITH A MINIMUM OF 18" SEPARATION UNLESS OTHERWISE NOTED. A 20 FOOT SECTION OF DUCTILE IRON PIPE WATER MAIN CENTERED CROSSING IS REQUIRED IF LESS THAN 18" VERTICAL SEPARATION OCCURS BETWEEN THE SEWER LATERAL AND WATER MAIN.
  - ALL UNDERGROUND UTILITIES TO BE REMOVED SHALL BE CAPPED OFF AT THE POINT NEAREST TO THE UTILITIES OR DRAINAGE LINES THAT WILL REMAIN IN SERVICE. NOTIFY THE ENGINEER OF RECORD BEFORE REMOVING ANY UTILITIES THAT ARE CURRENTLY IN SERVICE. THE CONTRACTOR SHALL NOT REMOVE ANY UTILITY SERVICE TO ANY EXISTING BUILDING THAT WILL REMAIN AND SHALL DIG UP AND COMPLETELY REMOVE AND/OR ABANDON ANY UTILITY SERVICE THAT IS NO LONGER REQUIRED. THE CONTRACTOR SHALL INFORM AND CONSULT THE ENGINEER OF RECORD PRIOR TO REMOVING ANY LINES.
  - CONTRACTOR SHALL VERIFY EXISTING WATER MAIN LOCATION AND ELEVATION AND NOTIFY THE ENGINEER OF ANY DIFFERENCE FROM THE DESIGN PRIOR TO CONSTRUCTION AND/OR EXCAVATION.
  - PROPOSED FIRE LINES (I.E. MAINS, SERVICES, SAMESE CONNECTION LINES, ETC.) TO BE INSTALLED BY A STATE LICENSED FIRE LINE CONTRACTOR PER F.S. 633.
  - FIRE LINES TO BE INSPECTED BY A CERTIFIED FIRE LINE INSPECTOR.
  - STATE LICENSED FIRE LINE CONTRACTOR, UPON COMPLETION OF REQUIRED TESTING, SHALL ISSUE A "LICENSED UNDERGROUND TEST CERTIFICATE" PRIOR TO ACCEPTANCE FOR PLACING FIRE LINE INTO SERVICE.



CALL 48 HOURS BEFORE YOU DIG IN FLORIDA

IT'S THE LAW  
811  
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

**FLYNN ENGINEERING**

241 COMMERCIAL BLVD., LAUDERDALE-BY-THE-SEA, FL 33308  
PHONE (954) 522-1000 FAX (954) 522-1001  
WWW.FLYNNENGINEERING.COM  
EFL 6378

Sheet Title

**CONCEPTUAL WATER AND SEWER PLAN**

Job Title

**SHERWIN WILLIAMS ON 4TH AVE**

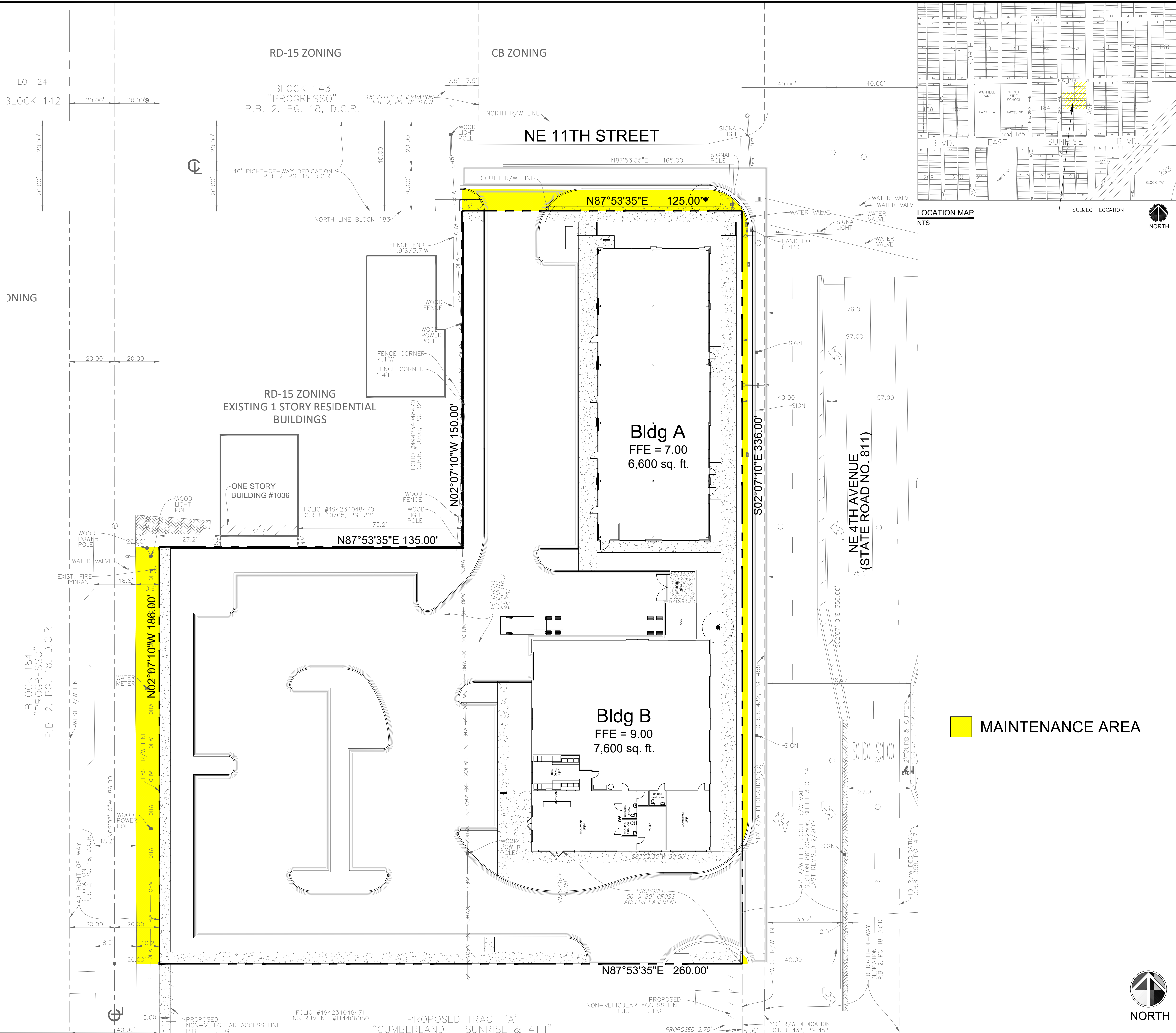
1051, 1071 NE 4TH AVE, FORT LAUDERDALE FL

Phase:

DRG DOCUMENTS

Revisions	
Scale:	Date
1"= 20.0'	08/14/19
Job No.	Plot Date
19-1523.00	12/05/19
Drawn by	Sheet No.
MDI	C3
Proj. Mgr.	DTR
Appr. by	3 of 3
JMF	





MAINTENANCE AREA

Sheet Title  
**MAINTENANCE AREA EXHIBIT**

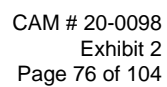
Job Title  
**SHERWIN WILLIAMS ON 4TH AVE**

1051, 1071 NE 4TH AVE, FORT LAUDERDALE FL

Phase:  
DRC  
DOCUMENTS

Revisions

Scale: 1"= 20.0'	Date 09/27/19
Job No. 19-1523.00	Plot Date 09/27/19
Drawn by MDI	Sheet No. <b>MX</b>
Proj. Mgr. DTR	
Appr. by JMF	1 of 1







Sheet Title

WB-40 TRUCK ACCESS EXHIBIT

b Title  
SHERWIN WILLIAMS ON 4TH AVE

Phase:  
DRC  
DOCUMENTS

Revisions	
Scale: 1" = 20.0'	Date 09/18/19
Job No. 19-1523.00	Plot Date 09/18/19
Drawn by MDI	Sheet No. <b>TX</b>
Proj. Mgr. DTR	
Appr. by JMF	1 of 1





November 1, 2019

Marc Isaac  
Flynn Engineering Services, P.A.  
241 Commercial Blvd,  
Lauderdale-By-The-Sea, Florida 33080

Subject: **WATER AND WASTEWATER CAPACITY AVAILABILITY LETTER**  
**Sherwin Williams – DRC Case No. ZR19003**  
**1051 NE 4<sup>th</sup> Avenue, Fort Lauderdale, Florida 33304**

Dear Mr. Isaac,

According to the information submitted, the project consists of constructing two (2) one-story commercial buildings totaling 14,650 square feet (SF). There are proposed water connections to City of Fort Lauderdale (City) utilities along NE 11<sup>th</sup> Street and proposed water and sewer connections to City utilities along NE 4<sup>th</sup> Avenue. This project lies within the City's Pump Station (PS) A-28 basin and will increase water and sewer demand by approximately 0.002 million gallons per day (MGD). The existing water and sewer infrastructure have the capacity to support the proposed development and no improvements are needed.

If Public Works staff issues comments on the proposed flow calculations after the issuance of this capacity availability letter, the consultant shall request a revised letter with the correct approved flow calculations. The determination of capacity availability is based upon tools and data analysis as of the date of this letter. Availability of capacities, as calculated in the attached analysis, is not guaranteed and no existing system capacity shall be considered "committed" for this project until a permit has been issued and all fees have been paid. The City reserves the right to re-evaluate the availability of capacities at the time of permit application. If sufficient capacities are not available, the City may deny the permit application or ask the Owner/Developer to submit an alternate design prior to approval. Information contained in this letter will expire one year from the date issued.

Should you have any questions or require any additional information, please contact me at (954) 828-6126.

Sincerely,

Thomas Lawrence, P.E.  
Project Manager II

Enclosures: Water and Wastewater Capacity Analysis

cc: Talal Abi-Karam, P.E., Assistant Public Works Director  
Omar Castellon, P.E., Chief Engineer  
Dennis Girisgen, P.E., City Engineer  
File: Water and Sewer Capacity Letters

**PUBLIC WORKS DEPARTMENT**

100 N. ANDREWS AVE, FORT LAUDERDALE, FLORIDA 33301

TELEPHONE (954) 828-5772, FAX (954) 828-5074

[WWW.FORTLAUDERDALE.GOV](http://WWW.FORTLAUDERDALE.GOV)

Equal Opportunity Employer

Printed On Recycled Paper.





City of Fort Lauderdale  
Public Works Department  
Water and Wastewater Capacity Analysis

**Sherwin Williams – DRC Case No. ZR19003**  
**1051 NE 4<sup>th</sup> Avenue, Fort Lauderdale, Florida 33304**

**PROJECT AND DESCRIPTION**

Construction of two (2) one-story commercial buildings totaling 14,650 SF.

**DESCRIPTION OF EXISTING UTILITIES**

**Water:** The site is currently served by a 6-inch water main to the north of the project site along NE 11<sup>th</sup> Street and a 4-inch water main to the east of the project site along NE 4<sup>th</sup> Avenue. See Figure 1.

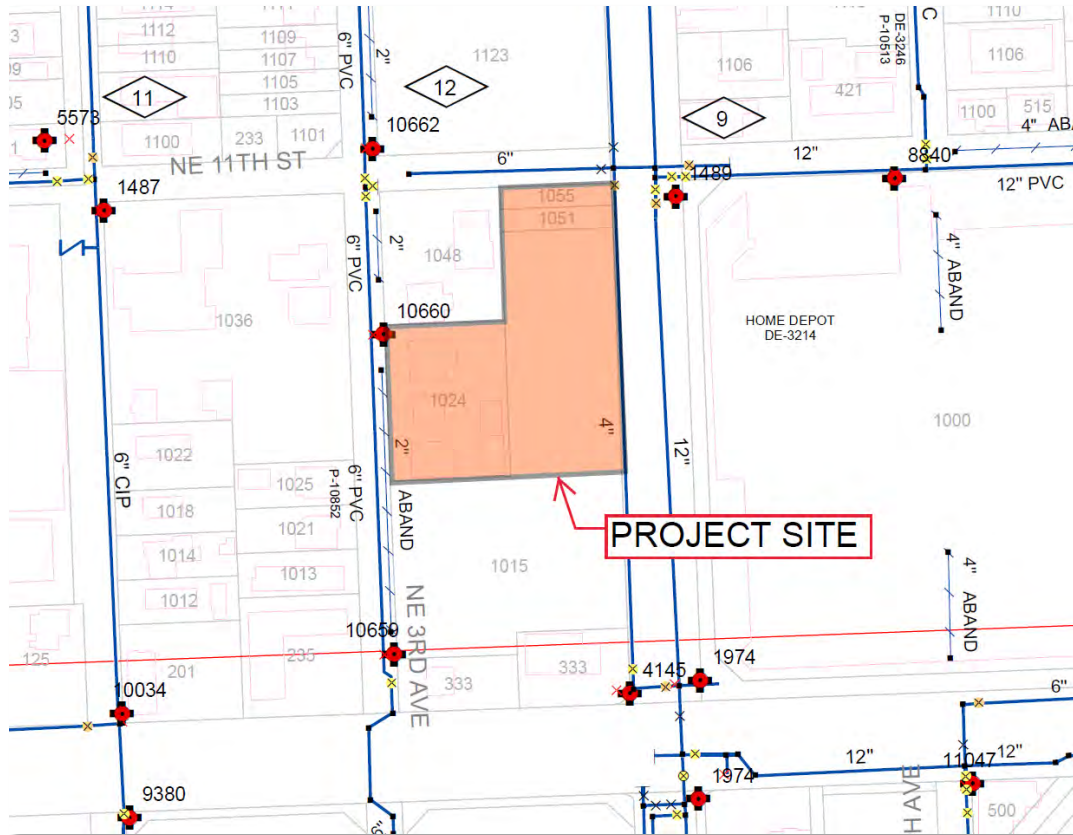
**Wastewater:** The site is currently served by a 10-inch gravity sewer main to the east of the project site along NE 4<sup>th</sup> Avenue. See Figure 2.

**Pumping Station:** The site is served by PS A-28 which is located northwest of the project site along NW 12<sup>th</sup> Street.

**SUMMARY OF ANALYSIS AND REQUIRED ACTION**

The existing water and sewer infrastructure have sufficient capacity to serve the project with no improvements required.





### Equal Opportunity Employer

Printed On Recycled Paper.

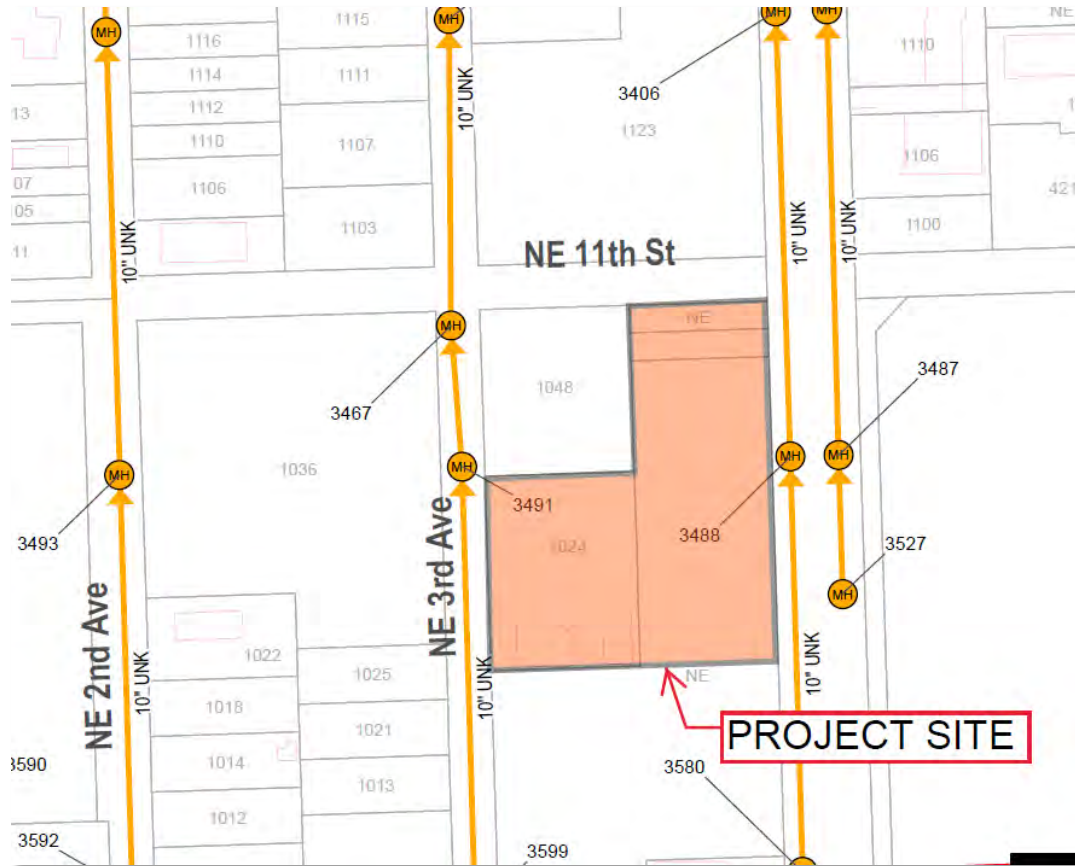


CAM # 20-0098  
Exhibit 2  
Page 80 of 104





Figure 2 – City Sewer Atlas



PUBLIC WORKS DEPARTMENT

100 N. ANDREWS AVE, FORT LAUDERDALE, FLORIDA 33301

TELEPHONE (954) 828-5772, FAX (954) 828-5074

[WWW.FORTLAUDERDALE.GOV](http://WWW.FORTLAUDERDALE.GOV)

Equal Opportunity Employer

Printed On Recycled Paper.





### WATER CAPACITY ANALYSIS

**Requested Demand:** Based on the applicant's site plan and building use information, the estimated combined potable water demand is approximately 2,417 gallons per day (GPD), which equates to 0.002 million gallons per day (MGD). Water use demands are calculated based on the City's "Guidelines for the Calculations of Sanitary Sewer Connection Fees".

**Evaluation of impact on existing distribution pipe (flow & capacity):** According to the site plan, the applicant is proposing to utilize the 6-inch water main along NE 11<sup>th</sup> Street to the north of the project site and the 4-inch water main to the east of the project site along NE 4<sup>th</sup> Avenue. The InfoWater hydraulic model was analyzed to determine the impact of this project on the existing 4-inch and 6-inch water mains and it was determined that they have capacity to serve the project.

**Evaluation of impact of Permitted Water Plant Capacity:** The Fiveash and the Peele Dixie Water Treatment Plants are designed to treat 70 MGD and 12 MGD of raw water respectively (82 MGD total). The total permitted Biscayne aquifer water withdrawals for these plants is limited to 52.55 MGD per the South Florida Water Management District (SFWMD) permit number 06-00123-W.

The current twelve-month rolling average production at the two plants is 39.51 MGD. The previously committed demand from development projects in the permitting or the construction stage is 4.569 MGD. Combining these figures with the demand from the proposed project of 0.002 MGD, the required production would be 44.08 MGD. This is less than the allowable withdrawal limit of 52.55 MGD. Therefore, the water plants have sufficient capacity to serve this project. See Figure 3 below.

**Recommended Water Infrastructure Improvements:** No improvements required.

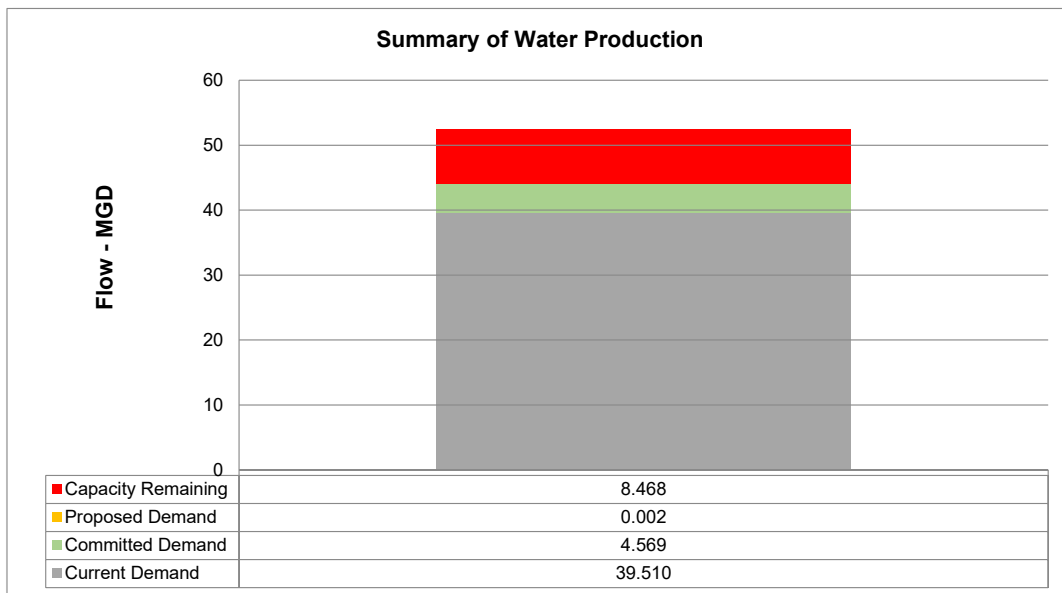


Figure 3

**PUBLIC WORKS DEPARTMENT**

100 N. ANDREWS AVE, FORT LAUDERDALE, FLORIDA 33301

TELEPHONE (954) 828-5772, FAX (954) 828-5074

[WWW.FORTLAUDERDALE.GOV](http://WWW.FORTLAUDERDALE.GOV)

Equal Opportunity Employer

Printed On Recycled Paper.







## WASTEWATER CAPACITY ANALYSIS

**Requested Demand:** Based on the applicant's site plan and building use information the estimated additional potable water demand is 2,417 GPD, which equates to 0.002 MGD (although wastewater is usually 80% of the potable water, a higher, conservative figure has been used for calculations). Sewer use demands are calculated based on the City's "Guidelines for the Calculations of Sanitary Sewer Connection Fees".

**Evaluation of impact on existing collection pipe (gravity system capacity):** According to the site plan, the applicant is proposing to utilize the 10-inch gravity sewer main along NE 4<sup>th</sup> Avenue to the east of the project site.

Manual of Practice (MOP) 60, published by American Society of Civil Engineers (ASCE) for the gravity sewer design and used by the City staff, recommends that pipe diameters 15-inch or less be designed to flow half full during peak flows. The City uses a peak hourly flow factor of 3.0. Accounting for existing flows and based on the tools and information available to the City staff, it has been calculated that the pipes downstream of the proposed development will flow approximately between 6% and 50% full, respectively, which is less than the ASCE-recommended 50%. Therefore, the pipes downstream of the developments are adequate to serve the project.

**Evaluation of impact on pumping station:** PS A-28 has a capacity of 600 gallons per minute (GPM) and has a Nominal Average Pumping Operating Time (NAPOT) of approximately 5.30 hours per day. Based on projected sewage flows, the pumping run times would increase approximately 4 minutes per day. Additionally, there are other committed flows from proposed developments within the PS A-28 basin resulting in 60 minutes of additional runtime. PS A-28 will have a NAPOT of 6.37 hours once the proposed developments are complete, less than the recommended average of 10 hours per day (see Figure 4).

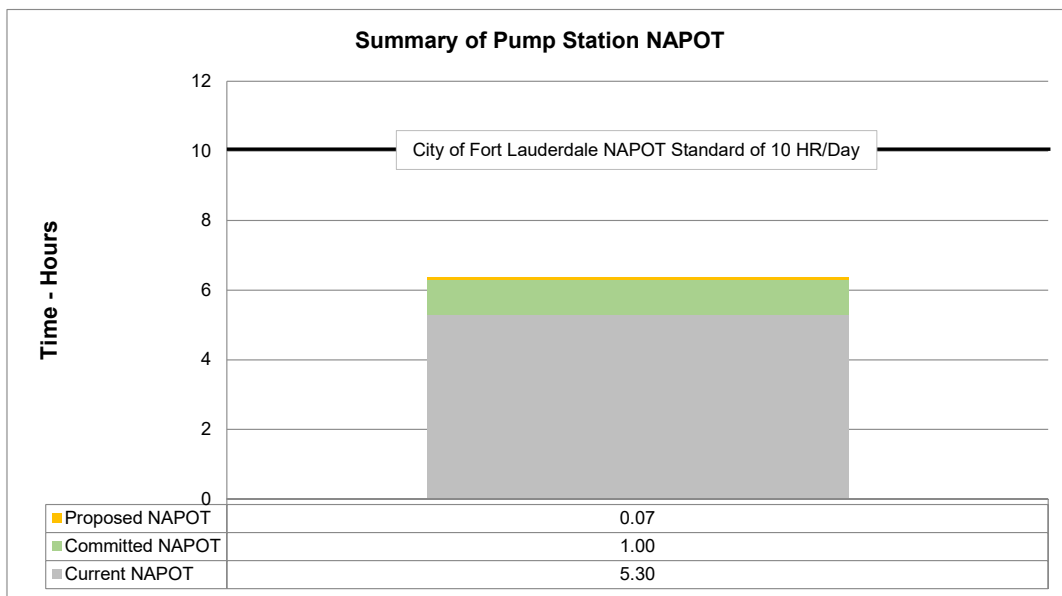


Figure 4

**PUBLIC WORKS DEPARTMENT**

100 N. ANDREWS AVE, FORT LAUDERDALE, FLORIDA 33301

TELEPHONE (954) 828-5772, FAX (954) 828-5074

[WWW.FORTLAUDERDALE.GOV](http://WWW.FORTLAUDERDALE.GOV)

Equal Opportunity Employer

Printed On Recycled Paper.





**Evaluation of impact of Permitted Wastewater Plant Capacity:** The City of Fort Lauderdale owns and operates the George T. Lohmeyer Regional Wastewater Treatment Plant (GTL), which provides wastewater treatment for the City of Fort Lauderdale. The Broward County's Environmental Protection and Growth Management Department's (EPGMD) Environmental Licensing & Building Permitting Division's licensed capacity for GTL is 48 MGD-AADF (Million Gallons per Day – Annual Average Daily Flow). The annual average daily flow (AADF) to the plant is 36.289 MGD. Combining the committed flows for previously approved projects of 4.569 MGD plus the 0.002 MGD net contribution from the project results in a total projected flow of 40.86 MGD. This is less than the permitted treatment plant capacity of 48 MGD. Therefore, the treatment plant has sufficient capacity to serve this project. See Figure 5 below.

**Recommended Wastewater Infrastructure Improvements:** No improvements required.

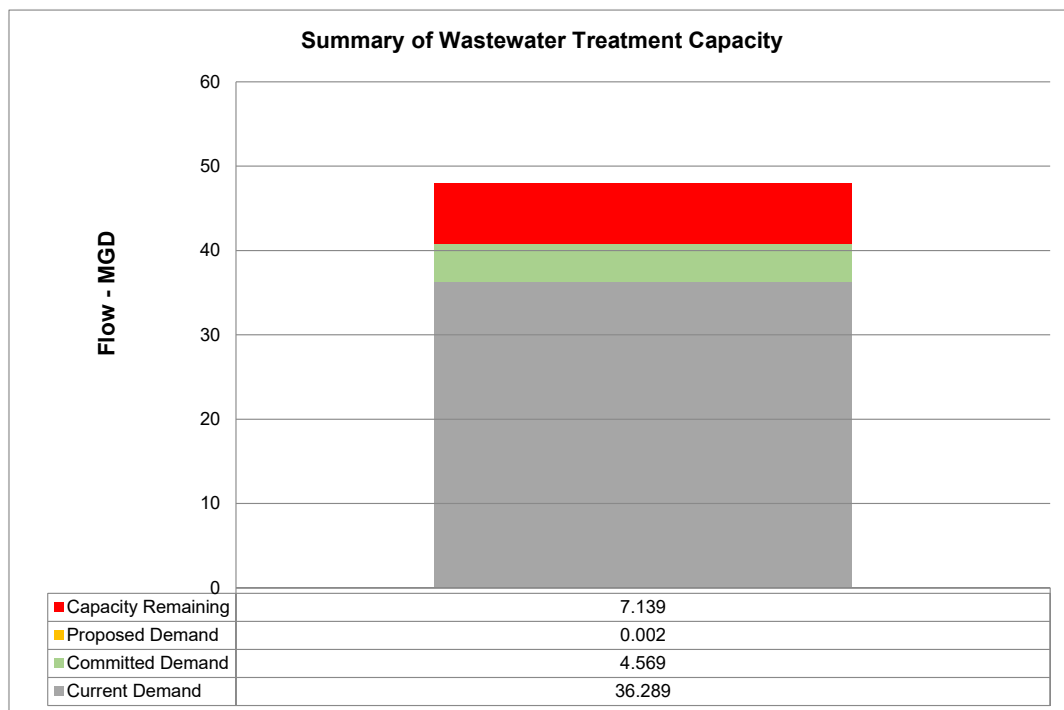


Figure 5

**PUBLIC WORKS DEPARTMENT**

100 N. ANDREWS AVE, FORT LAUDERDALE, FLORIDA 33301

TELEPHONE (954) 828-5772, FAX (954) 828-5074

[WWW.FORTLAUDERDALE.GOV](http://WWW.FORTLAUDERDALE.GOV)

Equal Opportunity Employer

Printed On Recycled Paper.





**AFFIDAVIT OF PUBLIC PARTICIPATION NOTIFICATION**

STATE OF FLORIDA, BROWARD COUNTY

RE: X PLANNING AND ZONING BOARD

CASE NUMBER: ZR19003

APPLICANT: Town Development Co

PROPERTY: 1051 and 1071 NE 4th Avenue, Fort Lauderdale

PUBLIC HEARING DATE: December 18, 2019

BEFORE ME, the undersigned authority, personally appeared Stephanie J. Toothaker, Esq., who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale Development Review Case.
2. The Affiant/Applicant has mailed or has caused to be mailed, via postal service or electronic mail, a letter to property owners and any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the Public Participation meeting.
3. That the letter referenced in Paragraph two (2) above was mailed prior to the submittal of the Planning and Zoning Board application meeting cited above.
4. That the public participation meeting was held at least **thirty (30)** days prior to the date of the Planning and Zoning Board meeting cited above.
5. Affiant has prepared a summary of the public participation meeting cited above that documents the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion and comments expressed during the process.
6. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office **fifteen (15)** days prior to the date of the Planning and Zoning Board meeting and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
7. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefor.

*Stephanie J. Toothaker*  
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 5<sup>th</sup> day of December, 2019

(SEAL)

NOTARY PUBLIC  
MY COMMISSION EXPIRES:



NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Section 47.27.3.1 of the City of Fort Lauderdale ULD. I will forfeit my sign deposit. \_\_\_\_\_ (initial here)  
\_\_\_\_\_ Initials of applicant (or representative) receiving sign as per ULDR Section 47-27.2(3) (A-J)

December 9, 2019

**VIA E-MAIL AND HAND DELIVERY**

Linda Mia Franco, AICP, Urban Planner III  
Urban Design & Planning Division  
Department of Sustainable Development  
City of Fort Lauderdale  
700 NW 19th Avenue  
Fort Lauderdale, FL 33311  
[lfranco@fortlauderdale.gov](mailto:lfranco@fortlauderdale.gov)

*RE: Public Participation Summary – Sherwin Williams on NE 4<sup>th</sup> Avenue*

I represent Town Development Co., (the “Owner”), and Plaza Street Partners, (the “Applicant”), regarding the property located at 1051 and 1071 NE 4th Avenue, Fort Lauderdale, FL 33304 (the “Property”). Applicant is requesting Site Plan and Rezoning with Commercial Flex Allocation approval (Case No. ZR19003).

Pursuant to ULDR, Sec.47-27.4, Applicant held the required Public Participation Meetings with official city-recognized civic organizations(s) and property owners within three hundred (300) feet of the proposed project a minimum of 30 days prior to the scheduled Planning and Zoning Board hearing. Please see a summary below.

Date: August 19, 2019  
Time: 6:00PM – 7:00PM  
Location: 1051 NE 4th Avenue (on-site, west of the Home Depot)  
Summary: Mail/e-mail notice was provided to the South Middle River Civic Association, Middle River Terrace Civic Association, and Progresso Village Civic Association. There were two attendees from the Middle River Terrace Civic Association. Representatives for the Applicant discussed the rezoning with commercial flex request and associated site plan. Discussion followed related to the Central City CRA rezoning initiative in the area, Applicant’s traffic statement, site and architectural design, and anticipated project and construction timeline.

Date: September 16, 2019  
Time: 7:00PM – 8:00PM  
Location: Broward Partnership, Progresso Village Civic Association Monthly Meeting  
Summary: Representatives for the Applicant shared a presentation with the Progresso Village Civic Association Membership Meeting, including an overview of the proposed rezoning with commercial flex allocation and associated site plan. Discussion followed related to the Central City CRA rezoning initiative in the area, the location of the ingress/egress, cross-access to the Cumberland Farms, anticipated tenants and proposed uses, and the site and architectural design.

**Stephanie J. Toothaker, Esq.**

land use development political strategy procurement

**Stephanie J. Toothaker, Esq., PA** 954.648.9376 [stephanie@toothaker.org](mailto:stephanie@toothaker.org) [@stoothaker](https://twitter.com/stoothaker) [@toothakerdevelopment](https://www.instagram.com/toothakerdevelopment)  
401 E Las Olas Blvd, Suite 130-154 Fort Lauderdale, FL 33301



Date: October 8, 2019  
Time: 6:30PM  
Location: Tennis Club, South Middle River Executive Board Meeting  
Summary: The representative for the Applicant shared a presentation to the South Middle River Executive Board. Discussion included the general site context, the proposed site plan, XP rezoning with commercial flex allocation, and the Central City CRA rezoning initiative in the subject area.

Date: November 18, 2019  
Time: 6:00PM – 7:00PM  
Location: Kathleen C. Wright Social Center, Joseph C. Carter Park  
Summary: Applicant provided mail/e-mail notice to the South Middle River Civic Association and Middle River Terrace Civic Association and mail notice to property owners within 300 feet of the proposed project. There were four attendees (see attached sign-in sheet). Representatives for the Applicant shared a presentation, describing the site context, the proposed site plan, XP rezoning with commercial flex allocation, and the Central City CRA rezoning initiative in the subject area. Discussion followed related to the ingress/egress to the site, cross-access to the Cumberland Farms, vehicular trips, anticipated tenants and permitted uses, architectural design, and general timeline for the proposed project.

**SHERWIN WILLIAMS**  
Public Participation Meeting Sign-In Sheet

November 18, 2019

PRINT NAME	ADDRESS	PHONE	EMAIL
1. William Cody	1245 NW 2nd Ave	(267) 301-2922	Cody.williams@gmail.com
2. ED CATALANO	"	(610) 931-1348	ED@BUZZ.COM
3. Javier Concha	1118 NE 3rd Ave	954-812-8190	Javier.Concha@live.com
4. LINA NAGEON			info@ndldesignbuild.com
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			
25.			
26.			

Traffic statement  
infor Plaza Street



December 4, 2019

## Meeting Notice: Planning and Zoning Board

Dear Property Owner:

The Planning and Zoning Board, acting as the Local Planning Agency (LPA), will hold a public hearing on **Wednesday, December 18, 2019, at 6:00 P.M.** in the City Commission Chambers, City Hall, 100 North Andrews Avenue, Fort Lauderdale, FL to determine whether the following application is found to be consistent with the Goals, Objectives and Policies of the Comprehensive Plan and the City's Unified Land Development Code (ULDR).

<b><u>Case No:</u></b>	ZR19003
<b><u>Request:</u></b>	Site Plan Level IV Review: Rezoning from Residential Single Family and Duplex/Medium Density (RD-15) District to Parking Lot (X-P) District with Site Plan Approval and Allocation of 0.47 Acres of Commercial Flex for 14,650 Square Feet of Retail Use
<b><u>Abbreviated Legal Description:</u></b>	PROGRESSO 2-18 D LOTS 3 THRU 20, LESS E 10 FOR ST, 28 THRU 35 BLK 183
<b><u>General Location:</u></b>	1051 NE 4th Avenue
<b><u>Commission District:</u></b>	2 - Steven Glassman

Should you desire to comment on this request, you may attend the hearing or send comments in writing to the Department of Sustainable Development, Urban Design and Planning Division, 700 NW 19th Avenue, Fort Lauderdale, Florida, 33311.

You may also submit email comments, and view the application and plans at:

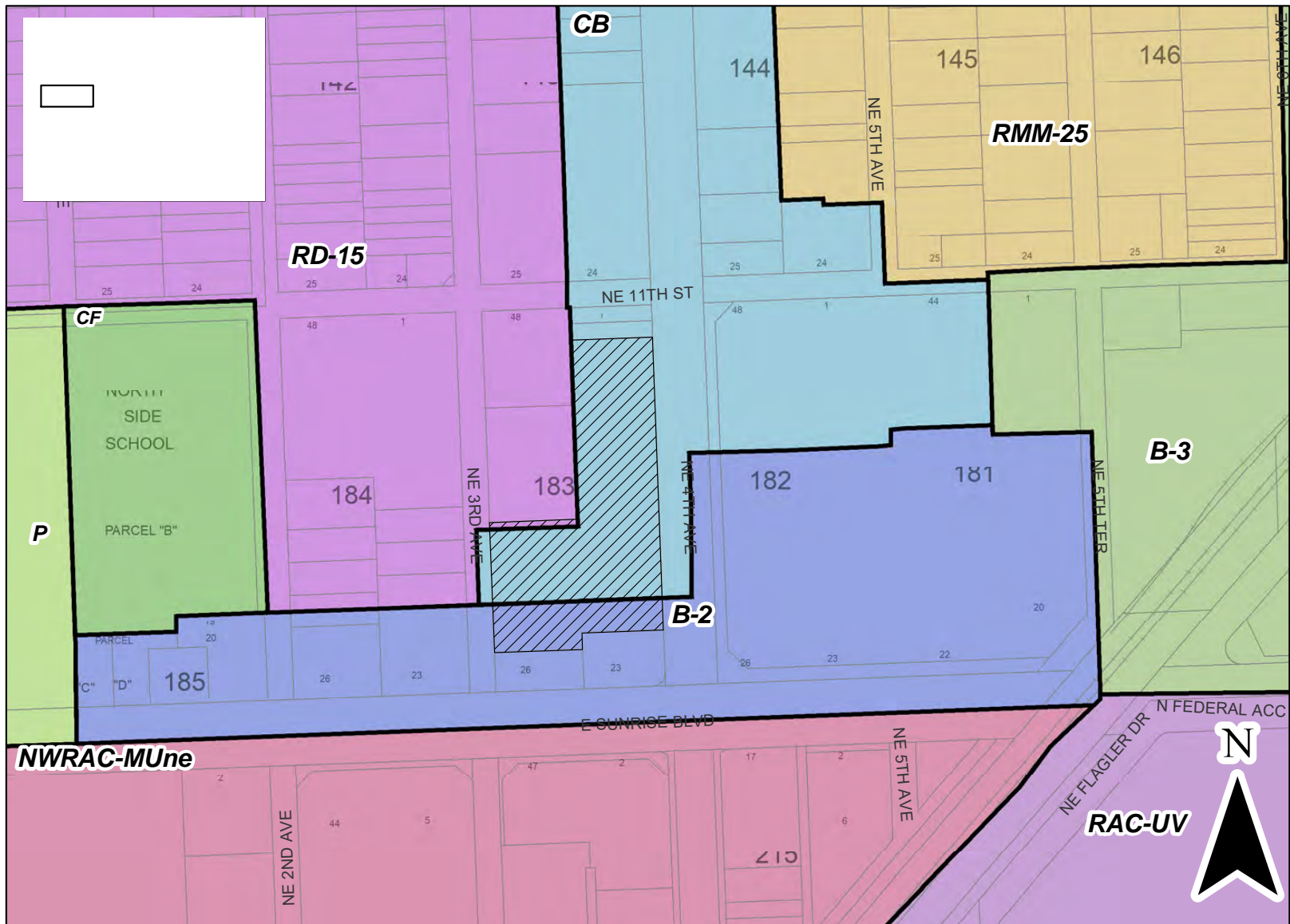
<http://www.fortlauderdale.gov/departments/city-clerk-s-office/advisory-boards-and-committees-agendas-and-minutes/planning-and-zoning-board>

Sincerely,

Linda Mia Franco, AICP, Principal Urban Planner, Case Planner  
Urban Design and Planning Division

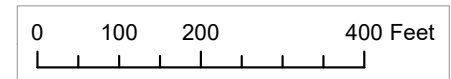
If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony 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 at (954) 828-5002 two (2) days prior to the meeting and arrangements will be made to provide these services for you. A turnkey video system is also available for your use during this meeting.



**ZR19003**

Path: J:\DSD\DRCLocationMaps\_16\_RM\ArcMap\New\IPZ20191218\ZR19003LocMap.mxd



Graphic Scale



**APPROVED MINUTES  
REGULAR MEETING  
CENTRAL CITY REDEVELOPMENT ADVISORY BOARD (CCRAB)  
CITY HALL  
8<sup>th</sup> FLOOR CONFERENCE ROOM  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
THURSDAY, OCTOBER 3, 2019 – 3:30 PM**

September 2019 – August 2020

<b>BOARD MEMBERS</b>		<u>Regular Meetings</u>		<u>Special Meetings</u>	
		<u>Present</u>	<u>Absent</u>	<u>Present</u>	<u>Absent</u>
Mark Antonelli, Chair	P	1	0	0	0
Danella Williams, Vice Chair	A	0	1	0	0
Leslie Brown	A	0	1	0	0
Luis Castillo-Olivera	P	1	0	0	0
Pieter Coetzee (arr. 3:51)	P	1	0	0	0
Charlene Gunn	P	1	0	0	0
Peter Kosinski	P	1	0	0	0
Laxmi Lalwani (arr. 3:40)	P	1	0	0	0
Theodore Spiliotes	P	1	0	0	0
Zachary Talbot	P	1	0	0	0
Alex Workman (arr. 3:39)	P	1	0	0	0

At this time, there are 11 appointed members to the Board; therefore, 6 constitute a quorum.

**Staff:**

Don Morris, Central Beach/Central City Manager  
Cija Omengebar, CRA Planner/Liaison  
Stephanie Hughey, CRA Administrative Aide  
Tatiana Guerrier, Prototype, Inc.

**I. Call to Order**

Mark Antonelli, Vice Chair, called the meeting to order at 3:31 p.m. It was noted that a quorum was present.

**Communication to the City Commission:**

None

**II. Approval of Meeting Minutes**

- **Regular Meeting, August 7, 2019**

**Motion** made by Mr. Castillo-Olivera, seconded by Mr. Talbot to approve the August 7, 2019, regular meeting minutes. In a voice vote, the motion passed unanimously.

### **III. Sherwin Williams – NE 4<sup>th</sup> Avenue (ZR19003)**

Chair Antonelli introduced Stephanie Toothaker, Attorney for Town Development Co., who gave a short PowerPoint presentation (see attached). Justin Greenbaum is the landowner and Sherwin Williams is the applicant. Cumberland Farms has the other half of the site and has already been approved. The property has two different land uses (commercial and medium residential) and two different zonings (CB and RD15), almost identical to the Cumberland Farms. The reason for coming now is that Sherwin Williams has to move a bit faster than the City sometimes likes to move. The request is for approval of the site plan and rezoning with commercial flex allocation for 0.57 acre.

Mr. Castillo-Olivera had questions on the landscaping on NE 3<sup>rd</sup> Avenue and the parking lot accessibility, if it is open to the public. Ms. Toothaker said it is open and can be walked across; not shown on the site plan are sidewalks like the ones on Cumberland Farms. Mr. Castillo-Olivera suggested that there be a lot of illumination and was assured that there will be, as well as security cameras.

Mr. Kosinski asked if the next step was Planning & Zoning; Ms. Toothaker said the site plan will go to Planning & Zoning, but the rezoning will go all the way to the Commission.

There were no public comments.

**Motion** made by Mr. Talbot, seconded by Ms. Gunn, to provide support for the project. In a voice vote, the motion passed unanimously.

### **IV. Central City Event Funding Application – Process Discussion**

Ms. Omengabar recapped the last meeting to use some money for the event funding application. There was a communication to the City Commission; it was discussed but there was confusion as to what it was. Ms. Omengabar explained to the Commission that the CRA Board has an event funding application and the CCRAB Board would like to adopt the same process. A discussion of pages 23-28, Event Funding Application followed, with attention given to page 25, Question #6. (See attached.) Question #6 provides that the revenue source be defined so the CCRAB can decide on the amount of funding. Also related, Question #12 states "CRA sponsorship, if approved, shall only be seed money with contributions reduced in subsequent years."

Ms. Omengabar corrected her previous statement that the money would come out of incentives; instead it will be coming out of the marketing budget. Because there are no marketing campaigns, so coming out of the marketing budget, the CRA logo can be required with advertising for events. The marketing budget is \$50,000 and \$20,000 will be set aside for these events. An overview of the rest of the application was given. This is the application process that begins with the new fiscal year. Beginning the second week in October, Staff will send via snail mail to properties to notify re: incentives available (\$276,000 to apply for) and notify them of the event funding application if anyone should be interested.

Mr. Castillo-Olivera wondered if there can only be a 10 by 10 space on weekdays, why not ask for same circumstances and find volunteers to do it over the weekend; people in the neighborhood or one of this Board might be found to help out. Somebody will do it; if not City employees, someone will be found.



**Motion** made by Mr. Castillo-Olivera, seconded by Ms. Lalwani, to approve with the change as discussed immediately above. In a voice vote, the motion passed unanimously.

There were no public comments.

**V. Communications to City Commission – None**

**VI. Public Comment – None**

For addition to the Agenda for the next (November) meeting, Mr. Castillo-Olivera wished to include a discussion of a single's club on 13<sup>th</sup> street, the pros and cons of such new business in the area. Also of concern is an understanding of the zoning map, that which leaves half lots that are too small for anything, perhaps this rezoning can be discussed as well. Chair Antonelli clarified that if the property is zoned for community business (CB) and what is being proposed is a private club, then it does not need to be approved. Ms. Omengebar will arrange for appropriate input from the City and public.

**VII. Adjournment**

The next regular CCRAB meeting will be held November 6, 2019.

**Motion** to adjourn the meeting was duly made and seconded. There being no further business, the meeting was adjourned at 3:58 p.m.

Attachments: PowerPoint on Sherwin Williams (NE 4<sup>th</sup> Avenue)  
Event Funding Application, as amended

[Minutes written by M. Moore, Prototype, Inc.]

**SIGN NOTICE**

Applicant must **POST SIGNS** for all City Commission hearings of development applications according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

**AFFIDAVIT OF POSTING SIGN**

STATE OF FLORIDA  
BROWARD COUNTY

RE: X CITY COMMISSION

CASE NO. ZR19003

APPLICANT: Town Development Co.

PROPERTY: 1051 and 1071 NE 4th Avenue, Fort Lauderdale

PUBLIC HEARING DATE: December 18, 2019

BEFORE ME, the undersigned authority, personally appeared Stephanie J. Toothaker, Esq., who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale Board or Commission Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the Board or Commission.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least **fifteen (15)** days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the Board or Commission. Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning **five (5)** calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

*[Signature]*  
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 31<sup>st</sup> day of December, 2019

(SEAL)



*[Signature]*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

NOTE: I, [Signature] (Initial here) the prescribed time limit as noted in Sec. 47-27.3.1 of the City of Fort Lauderdale ULD, I will forfeit my sign deposit [Signature] initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)









**CITY OF FORT LAUDERDALE**  
**PUBLIC NOTICE**  
**PLANNING AND ZONING BOARD MEETING**

DATE: DECEMBER 18, 2017  
TIME: 6:00 P.M.  
PLACE: 2811905  
PROJECT: SHERMAN WILLIAMS DR NE 47 3/4TH ST  
REZONING: SITE PLAN, PERMITS, RESIDUAL  
FROM RESIDENTIAL TO COMMERCIAL AND  
REQUIRE: 10% IMPROVEMENTS, 10% IMPROVEMENTS, 10% IMPROVEMENTS  
DISTRICT: 10% IMPROVEMENTS, 10% IMPROVEMENTS  
AND ALLOCATION OF 10% IMPROVEMENTS  
COMMERCIAL USE FOR 10% IMPROVEMENTS  
INFORMATION: CONTACT (954) 828-8100  
WWW.FORTLAUDERDALEFL.GOV

LOCATION: CITY COMMISSION CHAMBER  
3201 N.W. 11TH AVE, SUITE 200, FORT LAUDERDALE, FL 33304





**CITY OF FORT LAUDERDALE**  
**PUBLIC NOTICE**

**PLANNING AND ZONING BOARD MEETING**

DATE: DECEMBER 18, 2019  
TIME: 6:00 P.M.  
CASE: ZR19003  
PROJECT: SHERWIN WILLIAMS ON NE 4TH AVENUE  
REQUEST: SITE PLAN LEVEL IV REVIEW; REZONING FROM RESIDENTIAL SINGLE FAMILY AND DUPLEX/MEDIUM DENSITY (RD-15) DISTRICT TO PARKING LOT (X-P) DISTRICT WITH SITE PLAN APPROVAL AND ALLOCATION OF 0.47 ACRES OF COMMERCIAL FLEX FOR 14,650 SQUARE FEET OF RETAIL USE

**INFORMATION:** CONTACT (954) 828-6520  
<http://www.fortlauderdale.gov>

**LOCATION:** CITY COMMISSION CHAMBERS  
CITY HALL, 100 N ANDREWS AVENUE







approx. height and location of future RTU

to parapet  
128'-0"

stucco wrapped cornice molding, color: SW6143

14'-0"

exterior 3-coat stucco finish with elastomeric paint, color: SW6144

pre-finished aluminum canopy with hanger rods per manufacturer

1" insulated tinted glass in thermally broken aluminum storefront frames

7'-0" sidewalk easement

14' setback

to grade  
100'-0"

exterior 3-coat stucco finish with elastomeric paint, color: SW6144

exterior 3-coat stucco finish with elastomeric paint, color: SW6144

**4** South (Side) Exterior Elevations  
scale: 1/8" = 1'-0"

The site plan for Block 183, located at the intersection of NE 11th Street and NE 4th Avenue (State Road No. 811), shows two buildings: Bldg A and Bldg B. Bldg A is a 1-story residential building with a footprint of 7.00 acres and 6,600 sq. ft. Bldg B is a 1-story commercial building with a footprint of 7.00 acres and 7,600 sq. ft. The plan includes various dimensions, setbacks, and zoning information. A blue arrow points to the rezoning area, which is highlighted in purple. The plan also shows the location of the buildings relative to the streets and the surrounding area.

**NE 11TH STREET**

**NE 4TH AVENUE (STATE ROAD NO. 811)**

**NE 3RD AVENUE**

**RD-15 ZONING**

**EXISTING 1 STORY RESIDENTIAL BUILDINGS**

**Bldg A**  
FFE = 7.00  
6,600 sq. ft.

**Bldg B**  
FFE = 7.00  
7,600 sq. ft.

**REZONING**

**Block 183**  
P.B. 2, P.O. 18, D.C.R.

**NE 11TH STREET**

**NE 4TH AVENUE (STATE ROAD NO. 811)**

**NE 3RD AVENUE**

**RD-15 ZONING**

**EXISTING 1 STORY RESIDENTIAL BUILDINGS**

**Bldg A**  
FFE = 7.00  
6,600 sq. ft.

**Bldg B**  
FFE = 7.00  
7,600 sq. ft.

**REZONING**

**Block 183**  
P.B. 2, P.O. 18, D.C.R.

**LOCATION: CITY COMMISSION CHAMBERS  
CITY HALL, 100 N ANDREWS AVENUE**





December 11, 2019

Mr. Bret Elliott, CPA  
Plaza Street Partners  
2400 W 75th Street, Suite 220  
Prairie Village, KS 66208

**Re: Sherwin Williams - Fort Lauderdale, Florida  
Trip Generation Statement**

Dear Mr. Elliott:

Pursuant to your request, Danielsens Consulting Engineers, Inc. (DC Engineers, Inc.) has prepared this trip generation statement specific to development of a 14,200 square foot Sherwin-Williams facility comprised of Building A (6,600 square feet) and Building B (7,600 square feet). The new retail facility is proposed to be constructed along the west side of NE 4 Avenue (SR 811) immediately south of NE 11 Street within municipal limits of the City of Fort Lauderdale, Florida. Figure 1, attached, shows the location of the project site. This trip generation statement documents expected daily, AM peak hour, and PM peak hour trip generation of the proposed retail facility. The following is a summary of our findings.

### **Trip Generation**

Estimates of trip generation were determined using rates and formulae published in the Institute of Transportation Engineers (ITE) report *Trip Generation* (10th Edition). Based upon the information provided, the weekday, AM peak hour, and PM peak hour trip generation rates for the proposed land use are as follows

#### **Hardware/Paint Store - ITE Land Use #816**

- Weekday:  $T = 9.94 (X) - 12.22$  (50% entering 50% exiting)  
where  $T$  = number of trips,  $X$  = 1,000 sf gross floor area
- AM Peak Hour:  $T = 1.28 (X) - 3.07$  (54% entering 46% exiting)
- PM Peak Hour:  $T = 2.68 (X)$  (47% entering 53% exiting)

Table 1, attached, summarizes trip generation results for the proposed Sherwin-Williams facility. As shown in Table 1, the 14,200 square foot retail space is expected to generate a maximum 129 gross vehicle trips per day (vpd) with 15 vehicle trips occurring during the AM peak hour (8 entering and 7 exiting) and 38 vehicle trips occurring during the PM peak hour (18 entering and 20 exiting).

12743 NW 13th Court, Coral Springs, Florida 33071  
Tel: (954) 798-0926

## DC ENGINEERS, INC.

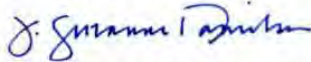
### Conclusion

Based upon the foregoing analysis, the proposed project should not require a comprehensive traffic impact study for the following reasons:

- Unified Land Development Regulations (ULDR's) specific to the City of Fort Lauderdale stipulate that when a proposed project generates more than 1,000 net new vehicle trips per day, a comprehensive traffic study is required. The subject project is expected to produce a maximum 129 net new vehicle trips per day as shown in Table 1.
- And, if the net new vehicle trips are less than 1,000 vehicle trips per day and more than 20 percent of the daily trips are anticipated to arrive or depart, or both, within one-half hour, a comprehensive traffic study is required. As shown in Table 1, 20 percent of daily trips are not expected to arrive or depart (or both) within one-half hour.

Of course, please call or email with any questions you may have.

### DANIELSEN CONSULTING ENGINEERS, INC.



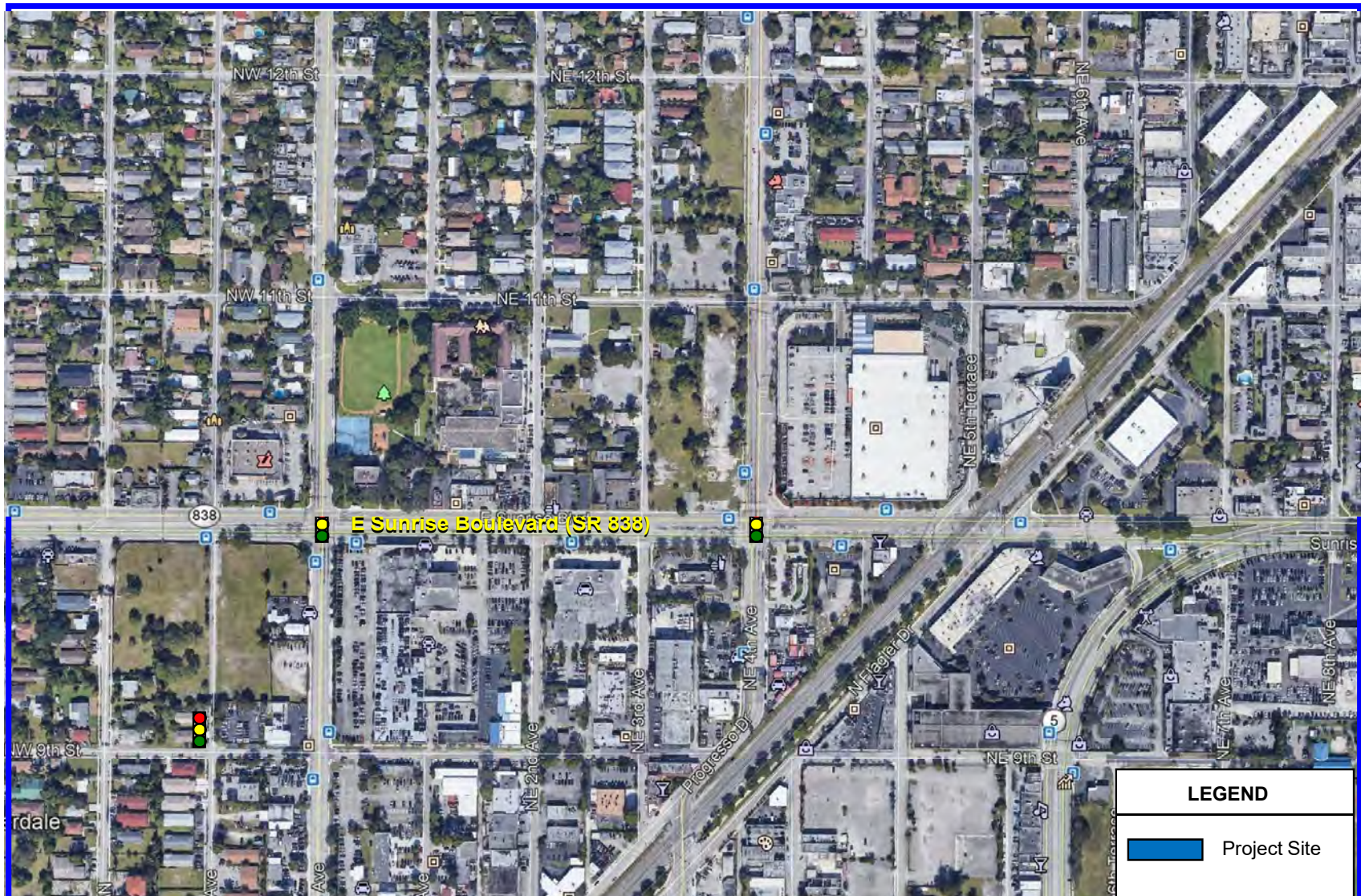
J. Suzanne Daniels, P.E.  
Senior Transportation Engineer



J. Suzanne Daniels, P.E.  
Florida Registration Number 42533  
Danielsen Consulting Engineers, Inc.  
12743 NW 13th Court  
Coral Springs, FL 33071  
CA # 3202

12743 NW 13th Court, Coral Springs, Florida 33071  
Tel: (954) 798-0926





**DC Engineers, Inc.**

## Project Location Map

**FIGURE 1**  
Sherwin-Williams  
Fort Lauderdale, Florida

**Table 1: Trip Generation Summary Proposed Use**

Land Use	Scale	Units	Mid-day Peak Hour			PM Peak Hour			Daily
			Total Trips	Inbound	Outbound	Total Trips	Inbound	Outbound	Total Trips
Hardware/Paint Store (LUC 816)	14.200	ksf	15	8	7	38	18	20	129
<b>Subtotal</b>			<b>15</b>	<b>8</b>	<b>7</b>	<b>38</b>	<b>18</b>	<b>20</b>	<b>129</b>
<b>Subtotal</b>			<b>15</b>	<b>8</b>	<b>7</b>	<b>38</b>	<b>18</b>	<b>20</b>	<b>129</b>
Internal (0%)									
<b>Subtotal</b>			<b>15</b>	<b>8</b>	<b>7</b>	<b>38</b>	<b>18</b>	<b>20</b>	<b>129</b>
<b>Net New Trips</b>			<b>15</b>	<b>8</b>	<b>7</b>	<b>38</b>	<b>18</b>	<b>20</b>	<b>129</b>

Source: ITE Trip Generation Manual (10th Edition)

T = 9.94(x)-12.22

50% in, 50% out

Daily

T = 1.28(x)-3.07

54% in, 46% out

AM Peak

T = 2.68(x)

47% in, 53% out

PM Peak

DC Engineers, Inc.





December 4, 2019

## Meeting Notice: Planning and Zoning Board

Dear Property Owner:

The Planning and Zoning Board, acting as the Local Planning Agency (LPA), will hold a public hearing on **Wednesday, December 18, 2019, at 6:00 P.M.** in the City Commission Chambers, City Hall, 100 North Andrews Avenue, Fort Lauderdale, FL to determine whether the following application is found to be consistent with the Goals, Objectives and Policies of the Comprehensive Plan and the City's Unified Land Development Code (ULDR).

<b><u>Case No:</u></b>	ZR19003
<b><u>Request:</u></b>	Site Plan Level IV Review: Rezoning from Residential Single Family and Duplex/Medium Density (RD-15) District to Parking Lot (X-P) District with Site Plan Approval and Allocation of 0.47 Acres of Commercial Flex for 14,650 Square Feet of Retail Use
<b><u>Abbreviated Legal Description:</u></b>	PROGRESSO 2-18 D LOTS 3 THRU 20, LESS E 10 FOR ST, 28 THRU 35 BLK 183
<b><u>General Location:</u></b>	1051 NE 4th Avenue
<b><u>Commission District:</u></b>	2 - Steven Glassman

Should you desire to comment on this request, you may attend the hearing or send comments in writing to the Department of Sustainable Development, Urban Design and Planning Division, 700 NW 19th Avenue, Fort Lauderdale, Florida, 33311.

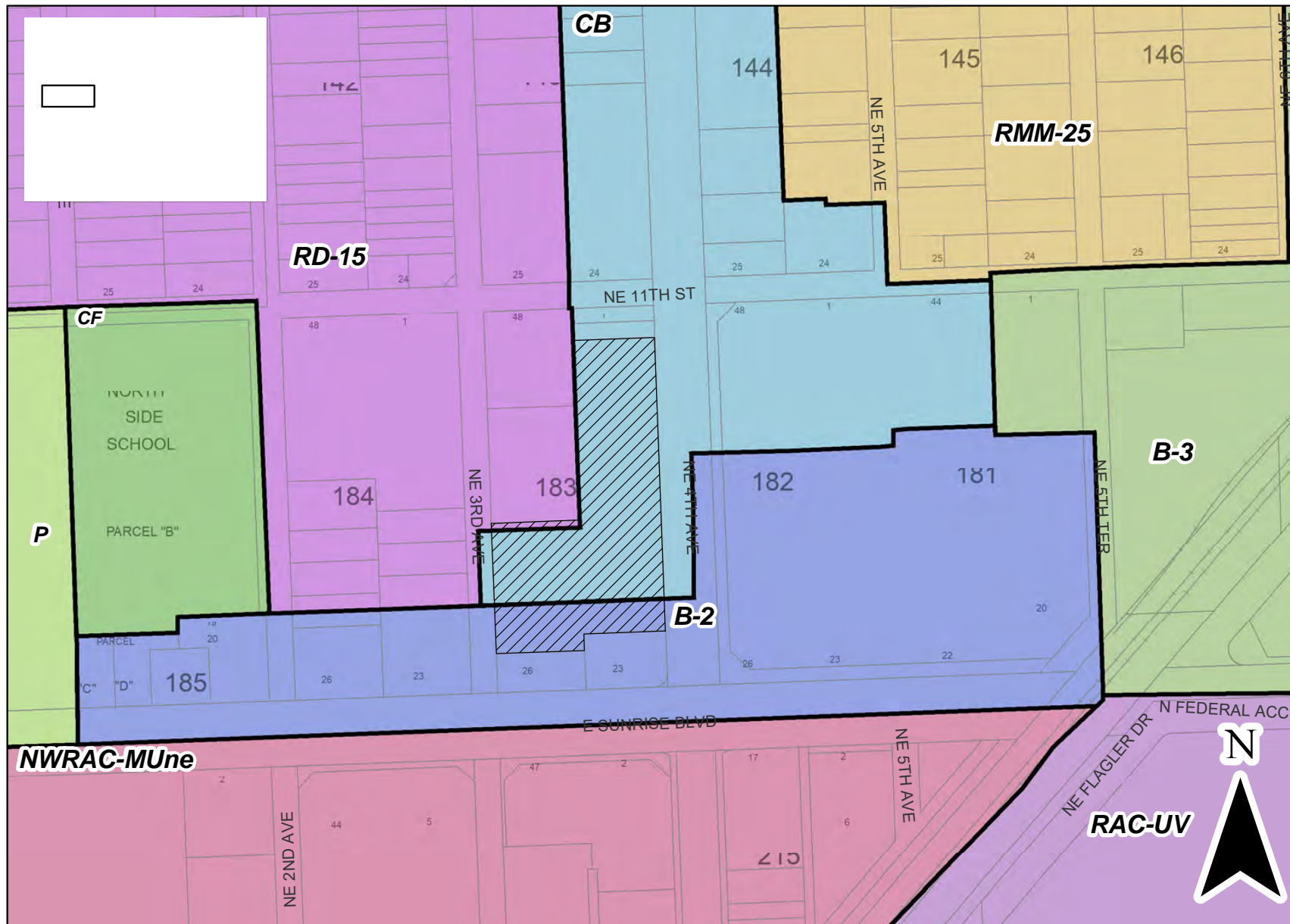
You may also submit email comments, and view the application and plans at:  
<http://www.fortlauderdale.gov/departments/city-clerk-s-office/advisory-boards-and-committees-agendas-and-minutes/planning-and-zoning-board>

Sincerely,

Linda Mia Franco, AICP, Principal Urban Planner, Case Planner  
Urban Design and Planning Division

If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may 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 at (954) 828-5002 two (2) days prior to the meeting and arrangements will be made to provide these services for you. A turnkey video system is also available for your use during this meeting.



ZR19003

Path: J:\DSD\DRCLocationMaps\_16\_RM\ArcMap\New\PZ20191218\ZR19003LocMap.mxd