

DATE: January 15, 2025

TO: George Keller, Jr. CPPT
City Manager

VIA: Andria Wingett
Director of Development Services

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FROM: Anand Balram
Planning Manager

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SUBJECT: Notice of Decisions Relating to the January 14, 2025, **Planning and Development Board Meeting**

The purpose of this notice is to inform the Mayor and City Commission of the opportunity to initiate a City Commission Request for Review (CRR) of a Board decision in accordance with [Section 5.6 of the City's Zoning and Land Development Regulations](#). The process for a CRR is initiated in one of the following ways: if three or more City Commissioners request a review during City Commission comments at a City Commission meeting, which is within 17 days of the Board's action; or if three or more City Commissioners file a request for review in writing with the City Clerk within 17 days of the Board's action. In any event, a *de novo* hearing shall be set.

A *de novo* hearing for a CRR shall be set no later than the next four City Commission meetings from either the City Commission meeting date where three Commissioners requested such review or no later than the next four City Commission meetings from the date that the City Clerk receives the third Commissioners request. Notice and other requirements of the hearing shall be provided in accordance with [Section 5.6 of the City's Zoning and Land Development Regulations](#).

The said request should be filed with the City Clerk's Office, with a copy forwarded to the Division of Planning & Urban Design of the Development Services Department by **January 31, 2025**.

Please note, the Code requires the City Clerk's Office to receive all CRR's within seventeen (17) days of the date a decision is reached by the Board. As such, CRRs filed after **January 31, 2025**, would not be consistent with the Code and will not be considered. The timeframe for setting a hearing provided herein may be extended by written request of the applicant. Appeal from a final decision of the City Commission shall be to circuit court by filing a petition for *writ of certiorari*.

This memorandum is also available on the City website. In this manner, the public is made aware of action taken by the Board, should they wish to encourage the Mayor and City Commission to file a request for review of the Board's decision pursuant to the procedures set forth above.

The following summarizes actions taken by the Board. Item # 1-3 below may be considered Quasi-Judicial and may be subject to the CRR Regulation.

- 1. FILE NO.:** 24-DP-14
APPLICANT: 2219 Lincoln LLC.
LOCATION: 2219 Lincoln Street
REQUEST: Design and Site Plan review for a new 111-unit residential development located in the DH-2 zoning district within the Regional Activity Center.

STAFF RECOMMENDATION:

- Design: Approval
- Site Plan: Approval, if the design is granted, with the following condition:
1. Tandem spaces must be assigned to one unit.

BOARD DECISION:

- Design: Approved
- Site Plan: Approved, with Staff's condition.

- 2. FILE NO.:** 16-PV-67a
APPLICANT: Chaminade Madonna College Preparatory Inc.
LOCATION: 500 East Chaminade Drive
REQUEST: An amendment to the conditions of a previously approved Resolution, 16-PV-67, pertaining to the use of the Chaminade Madonna College athletic field, located at 500 E. Chaminade Drive.

STAFF RECOMMENDATION:

- Amendment of the conditions: Approval with the following condition:
1. The applicant shall implement a parking payment system to prevent vehicle queuing within the public right-of-way, including but not limited to mobile applications, prepayment options, or payment on exit.

BOARD DECISION:

- Amendment of the conditions: Approved, with staff's condition

- 3. FILE NO.:** 23-DPV-06
APPLICANT: Taco Bell of America/Gator 441, Inc.
LOCATION: 2640 N. State Road 7
REQUEST: Variance, Design and Site Plan request for a 1,600 Sq. Ft. restaurant with a drive-thru facility in the Central Mixed-Use District (C-MU) zoning district within the Transit Oriented Corridor.

STAFF RECOMMENDATION:

- Variance to reduce ground floor active use liner: Approval
Variance to reduce parking requirement: Approval
Variance for window transparency: Approval
Variance to reduce vehicular use landscape area: Approval
Design: Approval
Site Plan: Approval, if variances and design are granted, with the following conditions:
1. One space must be assigned for ordering, drop-off, pick up and customer parking (cannot be ADA space).
2. 'No Stopping' signs must be installed in the stacking area and must be reflected on the site plan prior to the issuance of building permit.
3. A covenant running with the land that holds the city harmless against any claims arising from parking issues, traffic issues, or any disputes between neighboring establishments in a form acceptable to the City Attorney, shall be submitted prior to the issuance of permits and recorded in the Public Records of Broward County by the city prior to the issuance of a certificate of occupancy or certificate of completion.

BOARD DECISION:

- Variance to reduce ground floor active use liner: Approval
Variance to reduce parking requirement: Approval
Variance for window transparency: Approval
Variance to reduce vehicular use landscape area: Approval
Design: Approval
Site Plan: Approved with Staff's conditions

cc: Honorable Mayor and City Commissioners
City Manager
City Attorney
Assistant City Managers
Assistant City Attorneys
Civic Affairs Administrator
Economic Development Manager