



February 10, 2021

City of Pompano Beach  
Planning and Zoning Board  
100 West Atlantic Boulevard  
Pompano Beach, FL 33060

**RE: Application #: PZ19-12000006**  
**KEITH Project No. 07470.28**

Dear City of Pompano Beach Reviewers:

Based on your DRC Review comments dated **October 21, 2020**, KEITH and the project team offer the following responses to your comments/questions:

**PLANNING COMMENTS: Daniel Keester**

Review Complete Pending Development Order

**FIRE COMMENTS: Jim Galloway**

Review Complete Pending Development Order

**BUILDING COMMENTS: Carpel Jeboam**

Review Complete Pending Development Order

**BSO COMMENTS:**

No Comments

**ENGINEERING COMMENTS: David McGirr**

1. Broward County EPD Surface Water Management Division must approve the proposed paving and drainage plans.

**RESPONSE: Comment Acknowledged.**

Corporate Office  
301 E. Atlantic Blvd  
Pompano Beach  
FL 33060  
954.788.3400

Miami-Dade County  
2160 N.W. 82 Ave  
Doral  
FL 33122  
305.667.5474

Broward County  
2312 S. Andrews Ave  
Fort Lauderdale  
FL 33316  
954.788.3400

Palm Beach County  
120 N. Federal Hwy  
Suite 208  
Lake Worth, FL 33460  
561.469.0992

St. Lucie County  
2325 S.E. Patio Cir.  
Port St. Lucie  
FL 34952  
954.788.3400

Orange County  
2948 E. Livingston St.  
Orlando  
FL 32803  
954.788.3400

2. Any proposed water and sewer services connection to service this project needs approval by the City of Pompano Beach Utilities Division.

**RESPONSE: Comment Acknowledged.**

3. The proposed underground trash container on NE1 Ave. appears to be in the city right of way. It also appears to be located next to or on top of a 8" sanitary sewer main. Please verify.

**RESPONSE: Comment noted. The prop. Underground trash container on NE 1<sup>st</sup> Ave. is proposed by CRA and will be owned by City.**

**Please see sheet CU-102 for revised Sewer Services Plan.**

A revocable license agreement will be required for the structure in the city ROW. Per CO 100.35 BUILDING OR OBSTRUCTION ON PUBLIC STREETS, SIDEWALKS, AND RIGHT-OF-WAY SWALE AREAS;

(B) Any building, structure, or obstruction abutting or encroaching upon any public street, alley, sidewalk, or right-of-way swale area in the city is hereby declared to be a public nuisance against the welfare and safety of the public, and the owner, or lessee or agent of the owner, or any person responsible for the presence of any such public nuisance shall remove the nuisance or otherwise comply with the exemption requirements of this section, and shall be guilty of a punishable offense for placement of the nuisance, or for failure to remove same, or for both.

**RESPONSE: Acknowledged. The Revocable License Agreement will be executed prior to the issuance of a building permit**

4. The owner of adjacent property desiring to place the items in the city right-of-way must enter into a written revocable license agreement with the city which includes, but is not limited to, the terms and conditions found in this division, along with language for the property owner to indemnify and hold the city harmless for any damage or injury caused by the placement of any items in the right-of-way. The City Manager is authorized to enter into any such license agreement on behalf of the city, utilizing a form approved by the City Attorney. Said agreement shall be revocable by the city at any time, for any reason, and shall expire upon a change in ownership of the adjacent property, whereupon all items located in the right-of-way pursuant to the agreement shall be removed or, the new owners may enter into a similar agreement, if approved by the city. Property owners who are a party to any such agreement must disclose and provide a copy of same to any new purchaser of the affected adjacent property. Failure to provide the required notice shall constitute a violation of this section.

**RESPONSE: Acknowledged. The Revocable License Agreement will be executed prior to the issuance of a building permit**

**CRA COMMENTS:**

1. CRA comment received via email on 10/8/2020 : please accept this email as our comment that we support this project (since it is ours) and recommend moving forward as this



project is a major economic driver for the adjacent businesses. This project was designed to be a destination and is critical to the success of Wood & Wire (new restaurant at 165 NE 1st Ave) as well as PapAmigos (new restaurant at 44 NE 1st St) and all future tenants surrounding this public space.

**RESPONSE: Comment Acknowledged**

**UTILITY COMMENTS: Nathaniel Watson**

1. Please note that additional comments may be forth coming contingent upon future submittals and the review process.

**RESPONSE: Comment Acknowledged**

2. Please procure an approved Broward County EPD Surface Water Management permit or exemption for the proposed site work.

**RESPONSE: Comment Acknowledged.**

3. Please exercise best management practices with regard to protection of the on & off-site storm water system.

**RESPONSE: Comment Acknowledged.**

4. Please indicate on civil plan #400-CU-101 Water & Sewer Plan the requirement of a 6" dedicated fire meter and backflow assemble, 2" domestic water meter and backflow assemble and 1" irrigation meter and backflow assemble all proposed along NE 1st Avenue. The proposed 6" dedicated fire meter and backflow assemble shown on NE 2nd Street has this information shown on the civil plan. Please correct.

**RESPONSE: Comment noted. Please see CU-101 sheet for revised Water & Sewer Plan.**

5. Please note that the proposed 6" dedicated fire meters are not a City stock items. The devices are subject to a 60 to 75 day order lead time from the manufacturer. Please order the meters in a timely manner to ensure that device is available for installation according to the construction schedule.

**RESPONSE: Comment Acknowledged.**

6. Please attach 2019 City Engineering Standard detail #106-1 Backflow Preventer, #107-1 Typical 1" Water Service as they apply.

**RESPONSE: Comment noted. Please see attached CU-501 sheet for #106-1 Backflow Preventer Detail and CU-507 sheet for #107-1 Typical Water Service as they apply.**



**LANDSCAPE COMMENTS: Wade Collum**

Review Complete Pending Development Order

1. Change Adonidia palms in end island to a large canopy tree, seems like enough space to provide a Royal Poinciana or an equal flowering tree.

**RESPONSE: Adonidia Palms have been used because of their small 'footprint' near the underground water services.**

2. Provide current tree location of proposed specimen tree proposed for the south side with a timeline on root pruning and installation so that preparation and permitting may precede work on site.

**RESPONSE: This item has been coordinated between the tree relocation contractor and Urban Forestry**

3. Provide a cross section and pile detail for the decking proposed around the existing tree to avoid soil compaction within the critical root zone.

**RESPONSE: See Detail Sheet LH-502 for the typical deck plan & footing details**

4. Appears that proposed outside bar may be in conflict with existing tree canopy.

**RESPONSE: The location and orientation of the outside bar has been coordinated with Urban Forestry**

5. Note on grading plan that No Work is to be performed within the dripline of existing tree onsite.

**RESPONSE: The note has been added to the Grading Plan**

**ZONING COMMENTS: Max Wemyss**

General Comments

1. This application is for Minor Site Plan and Major Building Design. The Site Plan will receive Development Order from the Development Services Director. The Building Design will receive Development Order from the Architectural Appearance Committee. All new Institutional: Open Space uses are applicable for Major Building Design. An additional fee will be assessed for Major Building Design.

**RESPONSE: Comment Acknowledged**

2. DRC folders in ePlan contain outdated plans. Remove and replace Photometric Plan (Sheet 240-



SL1) and Floor Plans (Sheet 220-A-101).

**RESPONSE: All necessary plans have been replaced and uploaded.**

3. Properties unified through Unity of Use agreement. Unity of Use Agreement must include all affected properties.

**RESPONSE: Please see uploaded Unity of Use Agreement (previously submitted) by resolution 2019-29, which includes all affected properties (CRA / TEPM, Inc / Blaise and Algalite Augustin / Willy Francois / Old Goat, LLC / Old Towne Flagler, LLC)**

4. The commercial container storage areas shall be considered additions to the principal buildings rather than as commercial container enclosures.

**RESPONSE: Comment Acknowledged.**

5. A Right-of-Way dedication may be necessary. At least, a public access easement for the sidewalk along NE 2nd Street is required.

**RESPONSE: Public sidewalk easement agreement is already in place per ORB 49379, PG302. Please see uploaded recorded easement agreement. The Public Sidewalk easement has been identified on the Site Plan (Sheet SP-101).**

6. Show ROW line on building elevations, particularly where overhang from the bar or eave extend beyond the building line. A revocable license agreement may be necessary.

**RESPONSE: Please refer to Sheet A-201.**

7. Seating in the public right-of-way or public access area will require a sidewalk café permit.

**RESPONSE: A sidewalk café permit will be provided with the building permit.**

#### Zoning Comments

1. Obtain relief from the maximum pervious area requirement for the parcels as required by Section 155.3501.O.4. Pursuant to Section 155.2435, a Public Purpose Adjustment requires that a narrative be submitted demonstrating satisfaction of the criteria.

**RESPONSE: Please see uploaded Public Purpose Adjustment Request.**

2. Provide details for any proposed walls/fences.

**RESPONSE: There are no proposed wall of fences associated with this project.**

3. No screening is proposed for new trash vaults. These appear to be privately operated trash bins in public right of way. Staff to confirm no additional standards apply for this new concept.



**RESPONSE:** The trash vaults are located underground. The only element placed above ground is the receptacle for the vaults to receive waste from pedestrian traffic. Pedestrian receptacles are not required to be screened. Please note the trash vault option is not being submitted for formal approval at this time.



4. The façade improvements comply the Building Design Standards of the TO/DPOD Zoning District.

**RESPONSE:** Comment Acknowledged

5. A painted wall sign containing commercial content is not permitted within the TO/DPOD Zoning District. A Mural that does not advertise commercial activity is permitted.

**RESPONSE:** Reference to a painted wall sign has been removed from the plans and is not being proposed.

**SOLID WASTE AND RECYCLING COMMENTS: Beth Dubow**

1. As of this date, use of underground containers for garbage as shown on this site plan is awaiting discussion and approval by the City Commission. Approval of this site as it pertains to garbage collection must be evaluated after such approval is given and prior to the issuance of building permits.

**RESPONSE:** Comment Acknowledged.

2. The 8 yard garbage dumpster shown near the southeast corner of this site plan cannot be "rolled out" to the curb for service on NE 1 Avenue. Alternative containers should be considered; if approved for use (see #1 above), an additional underground container would be preferable.

**RESPONSE:** Comment noted.

