



# City of Pompano Beach

100 West Atlantic Blvd.  
Pompano Beach, FL 33060

## Staff Report

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**File #:** LN-36

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Development Review Committee  
Meeting Date: November 18, 2020

### ATLANTIC 3550

**Request:** Major Site Plan  
**P&Z#** 20-12000005  
**Owner:** Atlantic 3350 LLC  
**Project Location:** 3500 E Atlantic Blvd  
**Folio Number:** 494306060600, 494306060670, 494306060681, 494306060600, 494306060610, 494306060620, 494306060651  
**Land Use Designation:** C  
**Zoning District:** B-3/ PCD  
**Commission District:** 4  
**Agent:** Richard Berrie (954- 928-0635)  
**Project Planner:** Max Wemyss (954-786-4671) / Max.Wemyss@copbfl.com

### Summary:

The applicant is requesting MAJOR SITE PLAN and MAJOR BUILDING DESIGN approval in order to construct two towers, one with 110 hotel suites and the other with 77 residential units.

**Staff Conditions:**

**PLANNING**

Plan Reviewer: Daniel Keester | [daniel.keester@copbfl.com](mailto:daniel.keester@copbfl.com) <<mailto:daniel.keester@copbfl.com>>

Status: Review Complete Pending Development Order

- Land use for this parcel is Commercial (C). An application requesting 77 Flexibility Units has been approved by the City Commission (Resolution 2019-270).
- Included in the Resolution (2019-270) the project is exempt from complying with the provision of affordable housing.
- Provide a School Capacity Availability Determination (SCAD) Letter from the Broward County School Board prior to building permit approval.
- The city has sufficient capacity to accommodate the proposal.

**ENGINEERING DEPARTMENT**

Plan Reviewer: David McGirr | [david.mcgirr@copbfl.com](mailto:david.mcgirr@copbfl.com) <<mailto:david.mcgirr@copbfl.com>>

Status: Review Complete Pending Development Order

The following comments must be addressed prior to the submission of these plans to the Building Division for formal plan review and permitting:

1. The proposed paving and drainage plans must be approved by the Broward County EPD Surface Water Management Division.
  2. On SE 1 St. and On Hibiscus Ave. you are eliminating two existing catch basins which will now force the rain run off across the road way and cause the existing CB to be overwhelmed and cause drainage issues in that area. 100.38 DRAINAGE OF PUBLIC RIGHT-OF-WAY.
- (A) If an area of the city has no positive storm drainage system, or if in the opinion of the City Engineer the existing positive storm drainage system is inadequate, no more than 50% of the area between the existing street pavement and the right-of-way line shall be paved, stabilized, or otherwise rendered reduced in permeability unless other methods of storm water removal, subject to the approval of the City Engineer, are provided. Installation and maintenance of any dry well or other percolation device installed pursuant to this section shall be the sole responsibility of the owner of the property benefitted thereby. Any maintenance or repair of any dry well or other percolation device by city forces shall be done only upon specific request of the property owner, in which case the property owner shall be charged the sum of \$300 per dry well or other percolation device plus \$100 per hour in excess of three hours for the maintenance or repair. Permeable areas shall be graded so as to receive storm water run-off

from the public roadway and paved driveways.

- (B) All grassed areas and other permeable areas within the public right-of-way shall be graded so that they are lower than the adjacent public street and driveway pavement. Street swales have a minimum depth of six inches below crown grade of the street unless authorized otherwise by the City Engineer. Permeable areas shall be maintained by the adjacent property owner at the grades originally approved for construction unless otherwise authorized by the city
3. Submit FDOT Access Driveway/Connection Permit, FDOT Drainage Connection Permit, FDOT Utility Permit or exemptions for the proposed construction on South Ocean Blvd.
  4. Submit a City Engineering Division permit application for the following scope of work: on/off-site asphalt paving, on/off-site curb and gutter construction, off-site water and sewer and the off-site sidewalks. (At time of permitting)
  5. Submit a copy of a contract or schedule of values for the project scope of work listed in comment number 4. (At time of permitting.)
  6. The proposed potable water main and sanitary sewer main and service line connections shown on these plans must be reviewed and approved by the City of Pompano Beach Utilities Division.
  7. Public sidewalks on Private property.

#### 100.10 PUBLIC SIDEWALKS.

All paved sidewalks abutting or adjacent to public streets in the city are declared to be public sidewalks for use by the public generally, regardless of whether the land upon which they are constructed is dedicated to the public or is privately owned. It shall be unlawful for any person to use or obstruct public sidewalks so as to interfere with the use by the public, except in case of construction or other permitted special instances.

If the sidewalk is on city ROW and part on their own property then should provide an easement and the plan should be amended to document the easement, and the easement recorded.

8. Obtain approval from the FDEP HRS for the proposed water main construction shown on these plans.
9. The proposed wastewater collection system shown on the civil engineering plans must be approved by Broward County EPD.
10. A revocable license agreement will need to be submitted for all the off-site pavers in the city right-of way.

\*\*\*\* Please note - additional review comments may be issued by the City Engineering Division throughout the remainder of the permitting process while the civil engineering plans are being finalized for this project.\*\*\*\*

## **FIRE DEPARTMENT**

Plan Reviewer: Jim Galloway | [jim.galloway@copbfl.com](mailto:jim.galloway@copbfl.com) <<mailto:jim.galloway@copbfl.com>>

Status: Review Complete Pending Development Order

This P&Z application is able to meet all of the Fire Department requirements at this time for Site Plan Review. However, the petitioner shall maintain all proper fire department access and water supply requirements as per chapter 18 of NFPA 1 as amended from time to time.

\*Additional comments may follow throughout the remainder of the permitting process. The buildings shall be in compliance with All NFPA Standards prior to receiving Fire Department approval.

## **BUILDING DIVISION**

Plan Reviewer: Carpelo Jeoboam | [Carpelo.Jeoboam@copbfl.com](mailto:Carpelo.Jeoboam@copbfl.com) <<mailto:Carpelo.Jeoboam@copbfl.com>>

Status: Review Complete Pending Development Order

### **Advisory Comments**

A preliminary examination of the documents has been performed; additional comments may apply when completed plans and/or specifications have been submitted for permitting to the building department. Buildings shall comply with all local, state and federal codes in effect at time of application, including FEMA Floodplain, NPDES and HVHZ regulations.

FBC\_BCA 105.2.3 Public service agencies/other approvals. The building official shall require that the laws, rules and regulations of any other regulatory AHJ, and where such laws, rules and regulations are applicable and are known to the building official, shall be satisfied before a permit shall be issued. The building official shall require such evidence, as in his or her opinion is reasonable, to show such other approvals.

City Ordinance 53.16(A)(1) Construction sites and construction activities. construction sites and operations shall be required to maintain during and after all construction, development excavation or alteration operations, structural and non-structural best management practices with the intent to reduce pollutants and sediment in stormwater runoff.

City Ordinance 152.06(A): If applicable, contractor shall provide temporary screened fence complying with City Ordinance 152.06(B) through 152.06(G).

FBC 3306.1 Pedestrians shall be protected during construction, remodeling and demolition activities as required by this Chapter and Table 3306.1. Signs shall be provided to direct pedestrian traffic.

City Ordinance 152.25(A) Site plans and construction documents, Information for development in areas with base flood elevations. The site plan or construction documents for any development subject to the requirements of the floodplain regulations shall be drawn to scale and shall include, as applicable to the proposed development all sections from: City Ordinance 152.25 (A)(1) thru City Ordinance 152.25 (A)(7). Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development, etc. residential buildings shall comply with City Ordinance

152.29(C)(1)(A) and nonresidential buildings shall comply with City Ordinance 152.29(C)(1)(B).

FBC A201.1 This code establishes standards for accessibility to places of public accommodation and commercial facilities by individuals with disabilities. All new or altered public buildings and facilities, private buildings and facilities, places of public accommodation and commercial facilities subject to this code shall comply with 2017 FBC Accessibility.

FBC A221.1.1 Florida vertical accessibility. Nothing in this code relieves the owner of any building, structure, or facility governed by this code from the duty to provide vertical accessibility to all levels above and below the occupiable grade level, regardless of whether the ADA standards for accessible design require an elevator to be installed in such building, structure or facility.

FBC A206.2.1 Site arrival points. At least one accessible route shall be provided within the site from accessible parking spaces complying with FBC A502 and accessible passenger loading zones complying with FBC A209; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve.

FBC\_BCA 107.3.4.0.6 Compliance with the specific minimum requirements of this code shall not be in itself deemed sufficient to assure that a building or structure complies with all of the requirements of this code. It is the responsibility of the architect and/or engineer of record for the building, structure or facility to determine through rational analysis what design requirements are necessary to comply with 2017 FBC.

1. FBC\_BCA 107.1 As per the building official, separate building applications will be required for erosion control, site work, temporary fences, monumental signage and miscellaneous site structures.

2. FBC\_BCA 105.9 Asbestos. The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of section 469.003 Florida Statutes and to notify the department of environmental protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law. Contractor will be required to submit Broward County asbestos program certificate of submittal indicating that the statement of responsibility has been submitted.

3. FBC [F] 903.2 The enforcing agency will require that all provisions for an approved automatic sprinkler systems in new buildings and structures be provided in the locations described in sections 903.2.1 through 903.2.12 if applicable.

4. FBC 701.1 The enforcing agency will require that the provisions of this chapter, governing the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings, comply with this section of the code.

5. FBC 703.2 Fire-resistance ratings. Where materials, systems or devices that have not been tested as part of a fire-resistance-rated assembly are incorporated into the building element, component or assembly, sufficient data shall be made available to the building official to show that the required fire-resistance rating is not reduced. Materials and methods of construction used to protect joints and penetrations in fire-resistance-rated building elements, components or assemblies shall not reduce the required fire-resistance rating.

6. FBC 1003.1 The enforcing agency will require that all general requirements specified in sections 1003

through 1013, applicable to all three elements of the means of egress system, in addition to those specific requirements for the exit access, the exit and the exit discharge, comply with this section of the code.

7. FBC\_BCA 107.1.1 The enforcing agency will require a life safety plan illustrating the floor area with proposed alterations with each room labeled. indicate construction type, fire rated walls, occupancy type: (current and proposed), occupancy load, means of egress, common path/travel distance/dead end corridor limits, accessibility accommodations including areas of refuge if applicable, emergency lighting, exits/exit signage, fire extinguishers, smoke alarms, fire suppression system and pull stations if applicable. Also provide tested design from accepted agency for rated walls and penetration details.

8. FBC\_BCA 107.3.5.6 The enforcing agency will require product approvals be reviewed and approved by the building designer prior to submittal to verify that such products comply with the design specifications. Reviewed and approved product approvals shall then become part of the plans and/or specifications. Product approval shall be filed with the building official for review and approval prior to installation.

9. FBC\_BCA 107.3.5.2 The enforcing agency will require that all shop drawings, (i.e. components attached to building structure, window walls, railings, awnings, chutes...etc), necessary to show compliance with applicable codes; shall be approved by the architect or professional engineer and submitted to the building official prior to installation.

10. F.S. 481.221(2) The enforcing agency will require digital signature panel to be active on all documents submitted for review to authenticate the serial number matches the submitted ESA. F.A.C. 61g1-16.005 Each sheet is required to be digitally or electronically signed, and bear the impress seal of, an architect or engineer (FBC\_BCA 107.3.4.0.1).

11. FBC\_BCA 107.3.4.0.8 All plans and/or specifications prepared by an architect or an engineer pursuant to the requirements of this code shall be hand signed, dated and sealed.

12. FBC\_BCA 110.10.1 The enforcing agency will require a special inspector for various components of the building as determined by the building official. Building dept. will require special inspector form be completed and submitted for approval.

13. FBC\_BCA 110.7 For threshold buildings, shoring and associated formwork or false work shall be designed and inspected by an engineer, employed by the permit holder or subcontractor, prior to any required mandatory inspections by the threshold building inspector.

14. FBC\_BCA 110.8.1 The enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building.

15. FBC 1512.3.1 The enforcing agency will require that all new roofing construction, including recovering and reroofing, repair or maintenance shall have A HVHZ uniform roofing permit application, as established by the authority having jurisdiction, completed and executed by a licensed contractor.

Fbc 1512.3.2 The uniform roofing permit shall include calculations in accordance With Chapter 16 (High-Velocity Hurricane Zones) of this code, unless the roofing assembly is less than the height/pressure threshold allowed in the applicable protocols herein.

16. FBC A208.2 Minimum number. Parking spaces complying with 502 shall be provided in accordance with table 208.2 except as required by 208.2.1, 208.2.2, and 208.2.3. Where more than one parking facility is provided on a site, the number of accessible spaces provided on the site shall be calculated according to the number of spaces required for each parking facility.

17. FBC A208.2.3.3 Parking for guests, employees, and other non-residents. Where parking spaces are provided for persons other than residents, parking shall be provided in accordance with table 208.2.

18. FBC A502.6 The enforcing agency will require parking space identification comply with the following code: signs shall include the international symbol of accessibility complying with FBC A703.7.2.1. Signs identifying van parking spaces when required By FBC A502.2 shall contain the designation "Van Accessible." Reference Engineering Standard 300-5.

19. FBC 3303.5 Water Accumulation. The enforcing agency will require provisions be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property.

20. 1804.4 Site Grading. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than one unit vertical in 20 units horizontal (5-percent slope) for a minimum distance of 10 feet measured perpendicular to the face of the wall. If physical obstructions or lot lines prohibit 10 feet of horizontal distance, a 5-percent slope shall be provided to an approved alternative method of diverting water away from the foundation. Swales used for this purpose shall be sloped a minimum of 2 percent where located within 10 feet of the building foundation. Impervious surfaces within 10 feet of the building foundation shall be sloped a minimum of 2 percent away from the building.

21. FBC\_BCA 110.13.2.1 It shall be the joint responsibility of any owner of real property upon which construction is occurring, and any contractor responsible for said construction, to ensure that all road rights-of-way remain free at all times of all construction waste and trash resulting from such construction, and that all waste and trash resulting from the construction are contained on the real property upon which the construction occurs.

22. FBC\_BCA 109.3 Building Permit Valuations. The applicant for a permit shall provide an estimated permit value at a time of application. Permit valuations, shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems.

23. FBC\_BCA 110.8.5.4 All plans for the building which are required to be signed and sealed by the architect or engineer of record contain a statement that, to the best of the architect's or engineer's knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this section and chapter 633, Florida Statutes.

## **BSO**

Plan Reviewer: Patrick Noble | [Patrick\\_Noble@sheriff.org](mailto:Patrick_Noble@sheriff.org) <[mailto:Patrick\\_Noble@sheriff.org](mailto:Patrick_Noble@sheriff.org)>

Status: Review Complete Pending Development Order

By way of email, Deputy Noble has provided that he has no new comments and all prior conditions have been addressed.

## **CRA**

Plan Reviewer: Nguyen Tran | [nguyen.tran@copbfl.com](mailto:nguyen.tran@copbfl.com) <<mailto:nguyen.tran@copbfl.com>>

Status: Review Complete No Comments

## **UTILITIES**

Plan Reviewer: Nathaniel Watson | [nathaniel.watson@copbfl.com](mailto:nathaniel.watson@copbfl.com) <<mailto:nathaniel.watson@copbfl.com>>

Status: Review Complete Pending Development Order

1. Please note that additional comments may be forth coming contingent upon future submittals to the Pam and/or DRC review process.
2. Civil plan #006 C-3 Water Sewer Plan proposes an 8" connection w/ a DDCV doesn't specify a required meter nor indicates the purpose of the service. Please correct.
3. Please procure an approved FDEP permit for the proposed 8" water main along SE 1st Street. Applicable during official e-plan submittal.
4. Please procure Broward County EPD Surface Water Management permit approval or exemption for the proposed site work. Applicable during official e-plan submittal.
5. Please exercise best management practices with regard to protection of existing and proposed storm water systems.
6. Please note that water meters 3" and larger are not stock items and are subject to a 60 to 75 day delivery lead time once the meter(s) has been paid. Please order according to your construction schedule to ensure timely delivery and installation.
7. Civil plan #006 C-3 Water Sewer Plan proposes a 1½" domestic water service with a corporation stop. Please show the service with a 2" resilient seated gate valve, 2" service line with proposed 1½" meter and BFP. Please correct.
8. Please show an inline 8" gate valve midway of the proposed 8" water main along SE 1st Street.
9. The proposed water main on civil plan #008 C-5 Sewer Detail is shown as 18" below the proposed sewer. Please show the water main proposed above the sewer connection.
10. Please attach the following 2019 City Engineering Standard Details as they apply: # 119-1 Water Pipe Identification, #120-1 Pipe and Marker Balls Location.

## **LANDSCAPE REVIEW**

Plan Reviewer: Wade Collum | [wade.collum@copbfl.com](mailto:wade.collum@copbfl.com) <<mailto:wade.collum@copbfl.com>>

Status: Review Complete Pending Development Order

1. Great Plan.

2. Palm planting detail references Medjools (L.3), plan states Sylvestris, clarify and adjust soil mixture accordingly. Historically Medjools are planted in +/- 100% sand.
3. Provide dollar value removed vs dollar values proposed, apologies as I could not find it.
4. All tree work will require permitting by a registered Broward County Tree Trimmer.

## **ZONING**

Plan Reviewer: Max Wemyss | [max.wemyss@copbfl.com](mailto:max.wemyss@copbfl.com) <<mailto:max.wemyss@copbfl.com>>

Status: Review Complete Pending Development Order

### PCD/General Comments

1. All outstanding comments, must be addressed prior to building permit issuance, as authorized by a development order. Modifications required to be shown on the site plan, must be demonstrated prior to Planning and Zoning Board approval.
2. The provided FDOT Approval regarding access management is from January 5, 2012 and states it is valid for 12 months. Please renew this approval.
3. Provide a letter from the FAA approving the proposed height of the towers.
4. Additional ROW Dedication may be necessary to satisfy Chapter 100, Minimum Right of Way Widths.
5. A Unity of Title will be required prior to building permit approval.
6. Provide a roof/equipment plan. Any structures, parapets, cornices or similar, over 210' will be limited to screening devices at a maximum height of the equipment. It is difficult to justify an additional 26 feet without an understanding of the need for this, due to the location/complexity of the mechanical equipment.

### Urban Design Comments

7. All signage will require approval of the Master Sign Program for the Development by the AAC.

## **SOLID WASTE AND RECYCLING**

Plan Reviewer: Beth Dubow | [beth.dubow@copbfl.com](mailto:beth.dubow@copbfl.com) <<mailto:beth.dubow@copbfl.com>>

Status: Review Complete Pending Development Order

After a couple of virtual meetings between Solid Waste Services staff and the applicant, it has been decided that this project does meet the requirements for safe and adequate trash and recycling collection provided that:

1. Garbage and recycling will be toted via tugger or golf cart from the trash rooms to the collection areas

shown on the site plan.

2. The collection area for the residential tower will be separate from the hotel tower and commercial/restaurant collection area.
3. The property owner/management will be responsible for moving the garbage and recycling to these collection areas in a safe and tidy fashion.
4. Turning radii of 35 inside and 50 outside must be shown on the final site plan to ensure adequate access to trash collection areas and safe ingress/egress to the site.

NOTE: Recycling collection is not required, but it is encouraged. Commercial recycling collection service may be obtained from a recovered materials hauler.

NOTE: As stated in the Pompano Beach Code of Ordinances, Chapter 96, including Section 96.12(D)(1), all construction and demolition debris removal is the responsibility of the owner. All solid waste generated within the geographic boundaries of Pompano Beach shall be collected by the franchise collector (Waste Management at the time of this writing) and disposed of as directed by the city disposal agreement. All materials shall be generated from the property on which the materials are placed for removal. Information regarding container size and hauling costs may be found in Chapter 96, Section 96.13.

NOTE: Additional comments may be necessary based upon revisions, additional plans and/or documents. Contact Beth Dubow at 954-545-7047 or [beth.dubow@copbfl.com](mailto:beth.dubow@copbfl.com) should you have any questions or concerns regarding this review.