



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Staff Report

File #: LN-129

DEVELOPMENT REVIEW COMMITTEE

Meeting Date: MAY 19, 2021

AKEL PARKING LOT SITE PLAN

Request: Minor Site Plan
P&Z# 21-12000017
Owner: FOAD, LLC
Project Location: NW 6 Avenue
Folio Number: 484235240200 & 484235240210
Land Use Designation: L (Low 1-5 DU/AC)
Zoning District: TO-DPOD (Transit Oriented Downtown Pompano Overlay District)
Commission District: 4
Agent: Paola West (954-529-9417)
Project Planner: Matt Edge (954-786-5554 / matthew.edge@copbfl.com)

Summary:

The applicant is requesting approval of a Minor Site Plan in order to build a parking lot on the subject property.

Staff Conditions:

PLANNING

Plan Reviewer: Daniel Keester | daniel.keester@copbfl.com

Status: Review Complete Pending Development Order

- Land use for this parcel is DPTOC (Downtown Pompano Beach Transit Oriented Corridor). The use is (surface parking lot) is only permitted as an ancillary use to the convenience store in this zoning district based on the regulating plans. Parking Lot (as a Principal Use) shall be owned or leased by the City or the CRA. The design of the Parking Deck or Garage or Parking Lot shall be in a manner that encourages pedestrian and transit usage. A unity of title, or unified control document must be submitted for review and approval, prior to building permit approval.
- The property is platted (J.J. Hogan's subdivision), and based on the scope of work it does not appear that re-platting would be required for the site improvements.
- The property is abuts NW 6 Street & NW 6th Avenue. The survey illustrates that along NW 6th Street, the right-of-way is 40 feet wide & along NW 6th Avenue the right-of-way is 50 feet. Provide on all site plans a dimension measuring from the property line to the centerline of the right-of-way. Chapter 100.01 requires a minimum of 50 feet for NW 6th Street & 60 feet for NW 6th Avenue. The additional right-of-way dedications are illustrated on the plans, but the dimension to the centerline is not provided.
- The city has sufficient capacity to accommodate the proposal.

ENGINEERING DEPARTMENT

Plan Reviewer: David McGirr | 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. Place note on landscape plans as per City Ordinance(s) §50.02(A) (4) and §100.35(E), that landscaping materials other than sod are not allowed within (5") five feet of any portion of City owned utilities within the public street right-of-way including meters, hydrants, service lines etc. Also, please note that no trees, shrubbery or obstruction shall be placed within a 3' radius of a City-owned sewer lateral cleanout or water &/or reuse meter. Show the location of all existing City owned and maintained potable water mains and services, sanitary sewer mains or laterals and storm drainage lines on the proposed landscape plans. Contact the Engineering Div. for Utility information. Engineering Standard street tree detail 316-1
2. The proposed paving, grading and drainage plans must be approved by the Broward County EPD Surface Water Management Division.
3. Upload the 2019 City Engineering standard details for the proposed off-site water, sewer connections. These detail drawing may be obtained in pdf format from the City's website www.pompanobeachfl.gov under departments /engineering.
4. Prior to the approval of the City Engineering division, the City's Utilities, Planning and Engineering

Division must approve these plans.

5. Show truncated warning dome mats on the proposed off-site sidewalk where it intersects with driveways and public roadways. Place proposed COPB sidewalk warning dome mat construction detail drawing on the plans. Detail 318-1 ADA detectable warning mats.

6. Show how you are irrigating the landscaping.

**** 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

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: James DeMars | james.demars@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. 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 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. 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).

4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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: Scott Longo | scott_longo@sheriff.org

Status: Review Complete Pending Development Order

The services of an independent, experienced, qualified and certified Security Crime Prevention/ CPTED Consultant are highly recommended for objective and credible security review integrity. This review does not guarantee a crime will never occur; it is an effort to mitigate opportunities for crime and to help avoid any present and future security deficiencies, conflicts, or liabilities that might occur without any review.

Trespass, Way-Finding, Ground Rules & Other Signage: Territorial Reinforcement and Access Control

- a. Submit a Broward Sheriff's Office No Trespass Program Affidavit simultaneously with the application.
- b. Post sufficient "Broward Sheriff's Office No Trespass" signage so that it is readily available at all entrances and all sides of the property: North, South, East and West.
- c. Post BSO Trespass signs prominently with bottom edge of sign at approximately a minimum of 6' foot height from ground level for clear unobstructed viewing throughout property and from the site perimeter lines. Secure robustly using sturdy fasteners at all corners to help prevent vandalism.
- d. Property rules signage language must be clear and prominently posted in appropriate areas listing rules for authorized legitimate activities on the property.
- e. Way-Finding signage must be clear and prominently posted in appropriate areas indicating safe directional travel routes to avoid users from getting confused and wandering into potentially unsafe and dangerous areas.

CPTED Landscaping Standards

- a. Ensure to design out all landscaping and lighting conflicts to avoid existing or future obstructions to Natural or Electronic Surveillance.
- b. Ensure to design out existing or potential concealment/ ambush points to deter/ prevent criminal activity.
- c. Maintain 2' to 2.5' foot maximum height for all hedges, bushes, low plants and ground cover.
- d. Maintain an 8" foot clear trunk without any obstructive limbs or foliage hanging down for canopy trees and tall plants that obstruct Natural &/ or Electronic Surveillance.
- e. Note that young immature trees with 6" inch or less diameter trunks are excluded from this condition per code

Parking Garage & Lot, and Adjacent Access Perimeters:

- a. Parking garages and lots have one of the highest crime rates therefore the following facts must be thoroughly acknowledged and addressed:
- b. Vehicles have been burglarized in parking lots leading to significant property loss and the theft of personal identification which has resulted in identity theft fraud, therefore no security surveillance camera coverage gaps can exist (see Electronic Surveillance Section).
- c. Violent Robbery incidents, primarily in parking lots, have resulted in serious personal injuries and death to both residents, guests, customers and employees, therefore no security surveillance camera coverage gaps can exist.
- d. Ensure comprehensive parking lot area surveillance camera coverage/ capture
- e. Show overlapping sight "cones".

Electronic Surveillance - Security Strengthening

- a. Ensure electronic surveillance cameras and monitors are strategically located for maximum active and passive observation. Show sight "cones" indicating comprehensive coverage.
- b. Ensure all cameras are strategically placed so they will not be obstructed by the growth of existing or installation of future landscaping.
- c. Ensure lighting placement will enhance rather than conflict with camera placement. Avoid placing a light that would concentrate light directly into a camera lens thereby causing interference in operational

efficiency.

d. Security cameras must fully view all parking areas, building entrances and pedestrian paths of travel along the building perimeters.

UTILITIES

Plan Reviewer: Nathaniel Watson | nathaniel.watson@copbfl.com

Status: Review Complete Pending Development Order

1. Please note that additional comments may be forthcoming contingent upon future submittals to the PAM and/or DRC review process.
2. Please note if the minor site development shall require a new water service connection for irrigation or if the development shall utilize an existing connection.

LANDSCAPE REVIEW

Plan Reviewer: Wade Collum | wade.collum@copbfl.com

Status: Review Complete Pending Development Order

1. Submit a tree survey prepared, signed, and sealed by a Florida Registered Surveyor showing the locations of all existing trees and palms in accordance with Code Section 155.2411, and Part 5. Please include the actual crown spread of existing trees.
2. Submit a Tree Appraisal prepared by an ISA Certified Arborist in accordance with Rule 14-40.030 of the Florida Administrative Code as amended, for all trees and palms that are specimen size, and DBH for caliper for all nonspecimen trees, that assigns each existing tree a number; that specifies the common and botanical name for each existing tree; describes the overall size and caliper of each existing tree; evaluates the health condition of each existing tree; identifies the status of each existing tree (whether the tree is to be protected in place, be relocated, or be removed); and provides a dollar value for each existing tree included on the tree survey in accordance with Code Section 155.2411, and Part 5.
3. Provide a graphic scale on landscape plan.
4. Provide VUA requirements as per 155.5203.D for large canopy trees at 1:30' on the West and north sides. Add trees.
5. Please provide an alternate large canopy species for proposed Crabwood trees.
6. As per 155.5401.C. remove light poles from required VUA areas, perimeter landscaping strips, landscaped islands in parking bays, landscaped areas between parking bays, and landscaping between vehicular use areas and buildings. Show light poles on the plan.
7. As per 155.5102.C.9; provide continuous curbing around all VUA area to prohibit vehicular encroachment into required landscaping.
8. There are two existing curb cuts on 6th Ave and 6th Street that will have to be removed and a standard curb and sidewalk installed to deter unpermitted access to site.
9. Show sod on the plan and for area south of the parking lot and remove note from the sidewalk.
10. Provide the retroactive landscape plan for the adjoining property and this must be met as part of permitting and approval.
11. As per 155.5203.B.5.a: Provide a scaled Irrigation Plan.

12. Bubblers will be provided for all new and relocated trees and palms
13. Provide a dumpster enclosure and detail.
14. Show tree planting details to have a solid soil pedestal.
15. As per 155.5204.F. No development, work, or demo activity shall be allowed within the dripline of a tree or tree protection area.
16. Provide a note on the plan describing fines and penalties for encroachment into the critical root zones and within the tree protection zone for existing trees to be protected and preserved.
17. FOR EXAMPLE; Penalties would be incurred by the contractor for damages to the existing trees on site from the contractor, the subcontractors, or employees. Any encroachment within the tree protection zone, failure to maintain the tree protection zone, or any damage to the tree(s) or critical root zones will result in mitigation. The cause of damages would include, but not be limited to, storage of materials, placing fill or debris, disposal of paint or solvents, parking of machines under trees or tree protection zone encroachment. An example of this would be; Violations of this will result in a fine of \$1000.00 for the first offense, \$1500.00 for the second, and \$2000.00 for the third, etc. If physical damage is done to the tree, an appraisal of the damages and related fees will be determined by an ASCA Registered Consulting Arborist, and be based on all, or a percentage of, the established value assigned to the tree.
18. Provide a tree protection barricade detail.
19. All tree work will require permitting by a registered Broward County Tree Trimmer.
20. Provide a comment response sheet as to specifically how comments have been addressed at time of resubmittal.
21. Additional comments may be rendered a time of resubmittal.

ZONING

Plan Reviewer: Matt Edge | Matthew.Edge@copbfl.com

Status: Review Complete Pending Development Order

1. The light fixtures provided do not comply with the standards of 155.5401. Revise to provide on-site lighting. Be aware that lighting standards in the TO district is further regulated in 155.3501.M.
2. All landscaping must be protected by a curb no taller than 5.5 inches in height. There is a portion of the VUA (near the truck turn-around) that does not have a curb. Revise to provide a continuous curb around all landscaping.
3. Provide an agreement between the market and this lot:

155.5102.J.4.d.i: If land containing the off-site parking area is not under the same ownership as land containing the principal use served, the off-site parking arrangement shall be established in a written agreement between the owners of land containing the off-site parking area and land containing the served use. The agreement shall provide the owner of the served use the right to use the off-site parking area for at least 50 years. The agreement shall be submitted to the Development Services Director, who shall forward it to the City Attorney for review and approval before execution. An attested copy of an approved and executed agreement shall be recorded with the Broward County Records Division before issuance of a Zoning Compliance Permit for any use to be served by the off-site parking area. The agreement shall be considered a restriction running with the land and shall bind the heirs, successors,

and assigns of the landowner.

SOLID WASTE AND RECYCLING

Plan Reviewer: Beth Dubow | Beth.Dubow@copbfl.com

Status: Review Complete Resubmittal Required

1. A minimum turning radius of 35 feet (inside) and a maximum radius of 50 feet (outside) are needed for the garbage trucks to maneuver on this site. While there appears to be ample room for a truck to access the garbage dumpster on the adjacent property, it should be relocated and/or angled. Although it is not part of this site plan, please provide a sketch demonstrating the location and angle of the dumpster. NOTE: A dumpster enclosure may be required by other DRC disciplines.

2. Depending on the location and orientation of the dumpster, a garbage truck driver may be able to maneuver the truck using the parking lot drive aisle for backing up and exiting the site. This would be preferable, as the truck turn around appears to be in conflict with the landscape/drainage area.

NOTE: Owners of this commercial property are responsible for securing garbage collection service directly from Waste Management, Inc.

NOTE: Recycling collection is not required, but it is encouraged. 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 should you have any questions or concerns regarding this review.

PLEASE NOTE: Applications that require resubmission to the DRC have 45 days from the time of original DRC meeting in which to resubmit. Applications that fail to be resubmitted before the completion of these 45 days, or fail to receive a time extension from the Development Services Director, shall be considered withdrawn (§155.2304.B).