

May 9, 2022

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

RE: Application #: 21-12000045
Keith & Associates, Inc. Project No. 10230.09

Dear City of Pompano Beach Reviewers:

Based on your DRC Review comments dated April 6, 2022, KEITH and the project team offer the following responses:

Planning Comments: Daniel Keester

Status: Pending Development Order

- a) Land use for this parcel is currently RAC, amended September 24, 2019. The property was included in the platted subdivision "Pompano Park Racino Plat." A Plat Note Amendment was submitted earlier this year, and issued a letter of no objection, to restrict the property to 700,000 square feet of commercial recreation use, 550 horse stalls (existing), 44 dormitories (existing), 400,000 square feet of office use, 100,000 square feet of commercial use, 4,100 mid-rise units and 1,100,000 industrial use. Provide a copy of the recorded Plat Note Amendment, approved by Broward County.

Response: Comment Acknowledged

- b) The city has sufficient capacity to accommodate the proposal.

Response: Comment Acknowledged

Zoning Review: Max Wemyss

Status: Resubmittal Required

1. Required Perimeter Buffers to be installed prior to issuance of CO. Show on site plan and landscape plan location and contents for perimeter buffer within the subject site. The presence of a sidewalk does not negate the landscaping requirement. Drive aisles, curbing or other site features, except for pedestrian paths, are not permitted within the buffer.

Response: Comment Acknowledged

2. Provide Centerline of road measurement on site plan. Survey shows 72 feet from Centerline. Powerline ROW is to vary between 144 and 164 feet wide. Existing ROW appears sufficient

however a 28' easement is located on the subject property. What is the purpose of this easement? If it is required or must remain, the 10' perimeter landscape buffer must be located behind the easement within the subject property.

RESPONSE: The 72' measurement is shown to the CL of Powerline Rd. In multiple meetings with FDOT and Broward County, no additional ROW is required at this time.

A 28' Roadway easement is existing along Powerline Road, which was established by PLAT for the purposes of access requirements, however, due to the design of the LIVE project no access or additional turn lanes are proposed. The 10' landscape buffer will overlap this easement.

3. Per site parking calculations 618 spaces are required however 801 spaces are proposed. Commercial uses may not exceed 125% of the required parking calculation. An "Alternative Parking Plan" has been submitted however staff has identified errors in the required parking considerations. A 2005 Site Plan for the entire subject property inclusive of the Casino Building requires 3414 Parking Spaces. With all of the uses, aside from the Casino Building, to be decommissioned only 995 Spaces would remain as required from that Site Plan. Ultimately, the required parking, based on the Parking Plan exhibit, would be 3125 spaces. The total provided would then be approximately 160% of the minimum parking required. Please correct the proposal and resubmit for review.

Response: The Applicant will be applying for a PCD Minor Deviation to request relief from the maximum parking requirement for commercial development within the PCD.

4. Staff continues to object that the site is compliant with the below standards. However, if the applicant believes that the proposed design is superior to the requirements of the code, the AAC may evaluate the design and approve the proposed condition regardless of code compliance. While this approach is not recommended by staff it is an option to move forward should you wish.
 - a. The front facade of all buildings, as defined by the primary entrance, shall front onto a street, a courtyard, or plaza, not an off-street surface parking area. This is of particular concern for the grocery store, which is clearly oriented in to the internal parking rather than toward the adjacent street. The comment response provides that Powerline is the preferred frontage for the grocery store. The building should move to abut Powerline Road. No more than two bays (one drive aisle) of parking are permitted between a building the street it faces.

RESPONSE: The Applicant will address these issue through a request for Superior Design Alternative from the AAC.

- b. All street facing facades shall be 30 percent fenestrated with transparent windows and doors.

RESPONSE: The Applicant will address these issue through a request for Superior Design Alternative from the AAC.

Engineering Review: David McGirr

Status: Pending Development Order

1. Submit/ upload the (BCEPMGD) Broward County Environmental Protection and Growth Management Division Surface Water Management permit or exemption for the proposed paving and

drainage shown on the civil engineering drawings.

Response: Copies of all applicable permits shall be submitted at the time of building permit review.

2. Submit / upload the (FDEP) Florida Department of Environmental Protection NPDES General Permit for the proposed storm water discharge from the proposed site construction activities.

Response: Copies of all applicable permits shall be submitted at the time of building permit review.

3. Submit / upload the (FDEP) Florida Department of Environmental Protection (NOI) Notice of Intent for the proposed storm water discharge from the proposed site construction activities.

Response: Copies of all applicable permits shall be submitted at the time of building permit review.

4. Submit / upload a copy of the (FDEP) Florida Department of Environmental Protection permit or written exemption from this agency for the proposed potable water main and service line connections shown on the civil engineering drawing.

Response: Copies of all applicable permits shall be submitted at the time of building permit review.

5. Submit / upload a copy the (BCEPGMD) Broward County Environmental Protection and Growth Management Division wastewater collection system license/permit or written exemption from this agency for the proposed construction of the gravity wastewater collection system shown on the civil engineering plans.

Response: Copies of all applicable permits shall be submitted at the time of building permit review.

6. Submit / upload a copy the (FDEP) Florida Department of Environmental Protection permit or written exemption from this agency for the proposed construction of the gravity wastewater collection system shown on the civil engineering plans.

Response: Copies of all applicable permits shall be submitted at the time of building permit review.

7. 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. Landscape plans needs to have the Utilities overlaid onto the plan sheets.

Response: These notes are included on sheet LP-002, note #11 & 12. Please refer to sheet LP-501 for the Engineering Standard street tree detail 316-1. All utilities are shown on the landscape plans. Sheet LP-101-LP-104.

8. Upload the 2019 City Engineering standard details for the proposed off-site water and sewer connections. These detail drawing may be obtained in pdf format from the City's website www.pompanobeachfl.gov under departments /engineering.

Response: See sheets CU-501 thru CU-507 for water and sewer details.

9. Submit / upload a copy of the (FDOT) Florida Department of Transportation driveway connection permit or exemption for the proposed driveway, roadway curb and gutter and sidewalk to be

constructed within the road right-of-way of Powerline Rd.

Response: Will be handled at time of building permit by Kimley Horn

10. Submit / upload a copy of the (FDOT) Florida Department of Transportation driveway drainage connection permit or exemption for the proposed driveway, roadway curb and gutter and sidewalk to be constructed within the road right-of-way of Powerline Rd.

Response: Will be handled at time of building permit by Kimley Horn

11. Submit / upload a copy of the (FDOT) Florida Department of Transportation utility construction permit or exemption for the proposed off-site potable water, reclaimed water and sewer main or lines to be constructed within the road right-of-way of Powerline Rd.

Response: Will be handled at time of building permit by Kimley Horn

12. Submit / upload a copy of the Broward County Traffic Engineering Division permit or exemption for the proposed off-site pavement marking and traffic signage plan for any work on SW 3 St. (Race Track Rd.)

Response: Will be handled at time of building permit by Kimley Horn

13. Submit / upload a copy of the Broward County Highway Construction and Engineering Division permit or exemption for any proposed street roadway improvements on SW 3 St. (Race Track Rd.)

Response: Will be handled at time of building permit by Kimley Horn

14. Prior to the approval of the City Engineering division, the City's Planning and Zoning Division must approve these plans.

Response: Comment Acknowledged

15. The proposed water services and sanitary sewer connection to service this project must be approved by the City of Pompano Beach Utilities Division.

Response: Comment Acknowledged

**** Please note - additional review comments may be issued by the City Engineering Division throughout the remainder of the permitting process while

FIRE Department Review: Jim Galloway

Status: Resubmittal Required

As discussed in previous meeting about the development of this entire LIVE project all occupied structures were to be protected by fire sprinklers. Main reasons were the proposed buildings are spec, access and anticipated number of people/vehicles on property.

Provide fire flow requirements for each proposed building:

1. ~~Provide Required Fire Flow Data for each proposed structure: Refer to NFPA calculations at 8~~

required fire flow, number/spacing of fire hydrants. Depending on the hydrant flow test results additional fire protection systems or change in construction type maybe required for project (NFPA 1 2018ed chapter 18). This information must be provided at DRC to evaluate current water supply conditions. See attached document page 2 for a form to complete for each.

Response: Fire flow calculations for each proposed building is included in sheet CU-104.

2. Plans show all buildings on site to have fire sprinkler protection (FDC locations for each).
 - a - Locate FDC along front of building facing access road at a corner for fire apparatus access.
 - b - Maximum distance between FDC and a fire hydrant 100ft.

Response: FDC has been included for each building.

c - If FDC is free standing must have a sign stating building and address that FDC supplies. Sign installed to engineering standards for "No Parking or Handicap signs"

Response: All signs will be included in the signing and pavement marking plan at the time of building permit review.

3. Provide locations of water supply taps for each buildings fire sprinkler system. Size of main, backflow/meter. Each backflow must have a sign stating building address and water system that it supplies.

Response: Domestic water service and fire service including backflow, meters and DDCV are located on plans.

BSO/ CPTED Department Review: Scott Longo

Status: Pending Development Order as of 1/19/2022

New comments have not been provided. Comments, if any, will be provided at the 4/6/2022 DRC Meeting.

Utilities Review: Nathaniel Watson

Status: 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.

Response: Comment acknowledge.

2. Please procure an approved Broward County EPD Surface Water Management permit or exemption for the proposed site and off-site work. Required during official e-plan submittal.

Response: Copies of all applicable permits shall be submitted at the time of building permit review.

3. Please note that the site capacity study for wastewater availability is still pending.

Response: Study Report will be provided as soon as finished.

4. Please note that proposed water meters 3" and larger are not stock items. These meters are subject to a 60 to 75 business day order lead time. Please order these items in a timely manner to ensure that the services are available for installation.

Response: Comment acknowledge.

5. Site water, sewer and storm drainage infrastructure for the shopping plaza is private.

Response: Comment acknowledge. CU- sheets shown water and sewer infrastructure as “Private” and CP- sheets include the note “Proposed storm drainage system will be privately owned and maintained by the developer”

6. Please change City Engineering Standard detail 106-4 Meter Install Dimension List as the detail has changed for the 2022 version.

Response: City Engineering Standard Detail 106-4 has been updated.

Landscape Review: Wade Collum

Status: Pending Development Order

1. Provide a phasing plan and / or order of construction so that staff can assist to pre manage CO Issuance and compliance for the possible unfinished balance of the site. PLEASE NOTE ON THE LANDSCAPE PLAN; the vacant pad sites for Buildings 2 through 8 will be sodded and irrigated.

Response: A note has been added to buildings 2-8 to add sod and irrigation prior to construction. Refer to sheets LP-101-LP-104.

2. As per 155.5203.D.4., a landscaped island shall be provided at each end of every row of parking spaces and per every 10 spaces. Landscape parking islands are to be a minimum 8’ wide and contain trees, sod and irrigation. By dumpster enclosure, full islands with large canopy trees, Sabals do not count.

Response: Landscape islands were increased in size where possible. Structural soil is proposed next to the 5’ landscape islands to allow more root space for the trees. Please refer to sheets LP-101 & LP-102.

3. Be prepared to show out parcel landscape requirements at time of submittal, please note as such on the plans. These areas will need to be shown as sodded and irrigated. The note that has been added to the Site Plan requiring sod and irrigation in these areas until out parcel buildings are constructed should also PLEASE NOTE ON THE LANDSCAPE PLAN

Response: A note has been added to buildings 2-8 to add sod and irrigation prior to construction. Refer to sheets LP-101-LP-104.

4. Pursuant to Code Section 155.5203.D.4.b.iii: Each landscaped island shall contain at least one canopy tree. Understory trees may be substituted for canopy trees in areas beneath overhead utility lines. Trees shall be maintained to provide maximum canopy crown. The trees in front of Publix appear do not create a sense of unity, uniformity, and cohesiveness and appear to be hodge podgy in species and mature crown growth.

Response: The silver buttonwoods were changed to paradise trees as discussed in meeting with Urban Forestry. Refer to sheet LP-103.

5. Tree /palm count in the plant list does not add up to the number in the data table, correct. Provide a data table showing how the site is meeting the requirements of 155.5203. C Minimum Site Development Landscaping.

Response: The plant list has been updated to reflect the current number of trees proposed. Please refer to sheets LP-101-LP-104.

6. Provide landscape plans for the entire buffer within all of Development A as per Exhibit M2 (M3)? for this submission. Provide a separate landscape sheet for this including a cross section detail to also align with Exhibit O1. Provide walking / fitness trail areas and requirements. The only section shown on the Key Sheet is along Powerline, please clarify.

Response: Landscape plans were submitted for the remaining buffer areas along Powerline Rd. Please refer to permit #BP22-1765.

7. Is anything proposed to be planted along the south building faces of #'s 9, 10, & 11 along Palm Aire Dr.?

Response: Palms and shrubs were added to the south building facades. Refer to sheet LP-104.

8. All tree work will require permitting by a registered Broward County Tree Trimmer.

Response: Comment Acknowledged. This note is included on sheet LP-002, note #8.

9. Provide a comment response sheet as to specifically how comments have been addressed at time of resubmittal.

Response: Comment Acknowledged

10. Additional comments may be rendered a time of resubmittal.

Response: Comment Acknowledged

Solid Waste & Recycling Review: Beth Dubow

Status: Pending Development Order

Response: Comments Acknowledged

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

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.

Building Division Review: Todd Stricker

Status: Pending Development Order

Response: Comments Acknowledged

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. 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 1029.1 In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue openings in Group R-2 Occupancies in accordance with Tables 1021.2(1) and 1021.2(2) and Group R-3 Occupancies. Basements and sleeping rooms below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening in accordance with this section.
8. 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.
9. 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.
 10. FBC_BCA 107.3.5.2 The enforcing agency will require that all shop drawings, (i.e. components attached to building structure, trusses/joists, 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.
 11. 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).
 12. 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.
 13. 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.
 14. 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.
 15. 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.