

RE: Project at 2233 E Atlantic Blvd.

Process Number PZ22-12000041

November 14, 2023

City of Pompano Beach

To Whom it May Concern,

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I'm writing this letter to serve as a guide for the revisions hereby submitted. Please let us know if we can further clarify.

ZONING

1. This project is being reviewed as a Major Site Plan with Building Design under the standards for the TO/EOD. Any existing non-conforming site features must come into compliance for all requirements, not just the new building. This includes off-street parking, landscaping, screening, walls/fences, and exterior lighting, per Code Section 155.7502.

RESPONSE: NOTED.

2. The front canopy appears to extend beyond the southern property line, into the public ROW by a foot and a half. A Revocable License Agreement (RLA) may be required by the City Engineer, to be determined at a later date. If determined as necessary, the RLA shall obtain final approval from the City Commission for this encroachment into the public ROW, prior to building permit approval. Note that this approval is not guaranteed and must be approved by the City Engineer, the City Attorney, and the City Commission. Alternatively, you can setback the building from the southern property line. Setting back the building will 1) address the canopy encroachment issue 2) address the required wall off sets as part of the building design standards and 3) address the required building base landscape issue.

RESPONSE: THE BUILDING HAS BEEN SETBACK 9'-3" FROM THE PROPERTY LINE AND THE PROPOSED CANOPY NO LONGER EXTEND BEYOND THE PROPERTY LINE.

3. The parking analysis provided by the applicant does not support the reduction of parking spaces and clearly shows that the site is under parked. The findings of this analysis state that the site will be deficient by a total of 10 spaces on the weekends. The report does not show that there is an abundance of parking on site and proves that the minimum required number of parking is not being met. If the study showed that the zoning code requirements were in excess of the site's needs then Staff could consider this report. Additionally, the applicant is proposing to restrict access to three on-street parking spaces for the majority of the week (an 11-hour time range, 4 days of the week). Secondly, there are several large street trees on site that shall remain where the proposed on-street parking is located. This further reduction of parking is not acceptable (29 useable spaces vs 39 spaces required). The applicant shall obtain an approved Variance for the reduction of parking before this site plan can be approved.

RESPONSE: THE PROPOSED RETAIL AREA IS NOW 2,100 SF. AS PER OUR EMAIL EXCHANGE WITH LAUREN, IT WAS SAID THAT THE STAFF WOULD COMPROMISE WITH A 11% REDUCTION FOR THE PROXIMITY OF THE BUS STOPS AS LONG AS WE KEEP THE AREA 2,100 SF. SEE NEW PARKING REDUCTION LETTER SUBMITTED.

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4. Comment not addressed: Provide the required building base landscaping per Code Section 155.5203.E. This requires landscaping along the foundation of the building along the bases of building facades that face streets. Setting the building back from Atlantic Blvd will address this issue.
RESPONSE: THE BUILDING HAS BEEN SETBACK 9'-3" FROM THE PROPERTY LINE AND LANDSCAPING HAS BEEN ADDED TO THE BASE OF THE BUILDING FAÇADE. REFER TO SITE PLAN ON SHEET A0.05 AND FIRST FLOOR PLAN ON SHEET A1.01.
5. Comment not addressed: Provide landscaping in the rear of all buildings between the building and the Vehicular Use Area (VUA), per Code Section 155.5203.D.5. This code section requires landscaping greater than 5'. Coordinate with the Landscaping Division to address this.
RESPONSE: LANDSCAPING HAS BEEN PROVIDED IN THE REAR OF THE BUILDING AND THE VUA. REFER TO SITE PLAN ON SHEET A0.05 AND FIRST FLOOR PLAN ON SHEET A1.01.
6. Comment not addressed, revise the diagonal sidewalk leading to the southeast building to be at least 7' wide (155.5101.1.3). This shall come up to current code requirements per comment number 1. The current proposed sidewalk is only 4' wide.
RESPONSE: THE SIDEWALK HAS BEEN REVISED TO 7' WIDE.
7. Comment not addressed: Coordinate with the City Engineer/the Engineering Division to provide the offsite improvements within the right of way along NE 23 Ave and along Atlantic Blvd, per the EOD Street Diagrams, section 155.3709.F.2.
RESPONSE: NOTED WILL COORDINATE.
8. Sheet "030.2 LA0.10 Elevations" was not updated to reflect the changes in architecture. Either update this sheet or remove it from the submittal.
RESPONSE: REFER TO LANDSCAPE DRAWINGS.
9. Comment not addressed, only half the call outs have a legend: Provide a legend on all elevation sheets (sheet A0.05 is not sufficient and does not provide specific materials). There are items being called out with no explanation on sheet 014 A3-01 ELEVATIONS. Clarify what the hexagons represent. Why are the numbers 4 & 5 in the hexagons on the north elevation labeled differently? They appear to be the same design element but it is unclear.
RESPONSE: THE HEXGONS REPRESENTS WINDOW TYPES. THIS IS IN THE PROJECT SYMBOL LEGEND ON SHEET A0.02 BUT IT WAS TAKEN OUT OF ALL THE ELEVATION SHEETS TO AVOID CONFUSION.
10. Sheet 014 A3-01 ELEVATIONS has an actual question mark pointing to the slab. Revise this and clarify what the intent of this label is.
RESPONSE: WAS TAKEN OUT.
11. Provide a call out for the manufacturing information of the proposed rooftop mechanical screening, on sheet 014 A3-01 ELEVATIONS.
RESPONSE: MECHANICAL SCREENING INFORMATION ON SHEET A1.03 ROOF PLAN AND ELEVATION SHEET A3.01.
12. The landscape plan calls out mulch/gravel. Only a maximum of 15% of the site's provided pervious area is permitted to be non-living. Provide the total square footage for all non-living areas. Additionally, clarify if this mulch/gravel is only within the 2' overhang areas and will not go beyond this.

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RESPONSE: SEE UPDATED LANDSCAPE PLAN.

13. Comment not addressed, the new building is being proposed to appear as one large building, connecting to the existing building and therefore the below code section shall apply. Revise the architecture: The proposed project must meet the design standards of Code Section 155.5602. Commercial, Institutional, and Mixed-Use Design Standards:
- Street-facing front building facades that are greater than 60 feet wide shall be articulated with wall offsets (e.g., projections or recesses in the facade plane) that are at least one foot deep, at least ten feet wide, and spaced no more than 40 feet apart. The proposed building in addition to the existing building exceeds this 60' width.
 - The following alternatives can be used alone or in combination as an alternative to the required front facade offsets:
 - Changes in facade color or material that follow the same dimensional standards as the offset requirements;
 - Columns or pilasters that are at least eight inches deep and at least eight inches wide, and have a height equal to at least 80 percent of the facade's height;
 - Roofline changes that vertically align with a corresponding wall offset or change in facade color or material, including changes in roof planes and changes in the height of a parapet wall (such as extending the top of pilasters above the top of the parapet wall); or
 - Awnings or other shading devices over doors and windows that follow the same dimensional standards as the offset requirements.
 - Flat roofs on principal buildings shall be concealed by parapet walls that extend at least three feet above the roof level. Provide the height of the parapet above the roof level on the elevations. This code section is for the design of the building, not for the purposes of rooftop mechanical screening. Lower the roof level so that the parapet is measured at least 3' above the roof line OR raise the parapet above the existing height.

RESPONSE: THE BUILDING HAS BEEN SETBACK 9'-3" FROM THE PROPERTY LINE AND IS A DIFFERENT MATERIAL AS THE ADJACENT BUILDING. 3' PARAPET HAS BEEN ADDED. REFER TO SECTION ON SHEET A1.01.

14. The following must be addressed prior to building permit approval:
- The subject properties must be unified as one. The applicant shall submit a Unity of Title directly to me via email, outside of this DRC submission.
 - The points used for the Sustainability Narrative as submitted to the DRC shall provide evidence of compliance by time of building permit approval in accordance with Table 155.5802: Sustainable Development Options and Points. This includes, but is not limited to, energy star documentation for the A/C, tankless water heater details, and the permeable surfacing material details.

RESPONSE: NOTED. WILL BE ADDRESSED PRIOR TO BUILDING DEPT. APPROVAL.

LANDSCAPE REVIEW

1. Provide evidence and note on plans and in narrative that all overhead utilities will be buried for this project as per 155.5509. Overhead wires are still being shown on the plan(s), correct. Staff does not understand the response. Are the overhead wires running to the building going to be underground?

RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.

2. Provide the dollar value for specimen trees, height on palms, and DBH of all non specimen trees removed vs. the dollar value, palm height, and caliper of trees replaced. This is for all trees on site.

RESPONSE: REFER TO ARBORIST REPORT.

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3. 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. This is for all trees on site.
RESPONSE: REFER TO ARBORIST REPORT.
4. Appears that on street parking is being proposed in areas of large existing trees. On street parking is not required, alter to retain the trees and the adjoining root space. On street parking is not required and the proposed will negatively impact the existing trees critical root zone. Staff can work on providing credit for some of the street trees based on retention of trees #'d 9 & 10. There is not existing asphalt nor existing parallel parking spots, as per the comment response offered. Project comment response # 5 conflicts with #4. staff stands by the comment to reduce mitigation and safely retain mature existing urban tree canopy.
RESPONSE: AS PER YOUR MEETING WITH THE ARBORIST, WE HAVE PROVIDED PERMEABLE SURFACE MATERIAL ON THESE STREET PARKING. REFER TO CIVIL DRAWINGS.
5. Provide Street Trees at 1:40' as per 155.5203.G.2.c. along NE 23rd. On street parking is not required but the street trees are. Critical root zone planting space, eliminate parking. (see above comment).
RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.
6. Provide large canopy tree for the proposed ED island middle islands
RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.
7. 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 5' wide and contain trees, sod and irrigation. East end.
RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.
8. Provide Modular Suspended Pavement System with aggregate sub base (such as Silva Cell) for all proposed planters and sidewalk and paver areas. Please provide a separate silva cell sheet with the soil volume graph and all associated details. There are too many silva cells meet with staff to reduce quantities.
RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.
9. Show how requirements from 155.5203.D.5 VUA Landscaping are being met. Provide a minimum of 5' of landscape areas between a vehicular use area and an abutting all buildings facing the rear VUA areas. Show tree planted in the middle of the 5' area and remove any reference to gravel / mulch. A hedge row can be used.
RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.
10. Show how requirements as per 155.5203.E., Building Base Plantings are being met.
RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.
11. Provide a note that NO TRENCHING will be allowed within the critical root zones of trees on the landscape plan.
RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.
12. 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.



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RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.

13. 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.

RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.

14. Please provide specifications and directives by a Registered Consulting Arborist prescribing timelines, watering, root pruning procedure and rootball size for all relocation proposed if any.

RESPONSE: REFER TO ARBORIST REPORT.

15. Provide a note that all existing trees will be pruned by an ISA Certified Arborist under the direction of a BCMA or ASCA Registered Consulting Arborist.

RESPONSE: REFER TO UPDATED LANDSCAPE PLANS.

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

RESPONSE: NOTED.