



July 30<sup>th</sup>, 2024

David L. Recor, Development Services Director  
City of Pompano Beach  
Development Services, Planning & Zoning Division  
100 West Atlantic Boulevard, Dept. 1510  
Pompano Beach, Florida 33060

RE: PZ# 23-12000036 EI Car Wash (484318010100)

Dear Mr. Recor,

The above-referenced Site Plan application has been reviewed by the Development Review Committee and discussed at the July 7<sup>th</sup>, 2024 DRC Meeting. Comments have been addressed and resolved with each discipline that had concerns, with outstanding comments being related to necessary zoning code modifications/waivers that would otherwise result in a development conflict with the City's CPTED guidelines as well as a detriment to the overall safety and/or reliability of the site's electrical circuit. We would like to take the opportunity to justify the need for Director modifications/waivers in accordance with code sections 155.5301.C.3.b [Location and Screening of Commercial Containers, Exemptions] and 155.5509 [UTILITY LINES LOCATION].

**ZONING comment 25** states, "Alternate Dumpster Location conflicts with the civil drawings, specifically drainage. Revise the site plan to remove the alternate trash enclosure location from the proposed retention area and drainage structures."

As shown below, the property abuts a lot on the north side with a building located on the property line. Per city code, the dumpster is not permitted to be located closer than 5 feet from the property line, should not face the street, and may not be located in the front of a principal building. This leaves the best and most accessible location for a refuse truck where proposed, at the north west corner of the site. Locating the dumpster off of the property line creates an unsafe alley-like area that is not easily visible or easy to monitor—a violation of the city's CPTED guidelines for Natural Surveillance. Locating the trash container to the property line to create a seamless continuation of the existing adjacent building wall eliminates any chance of creating an alley-like area for potential criminal activity. The yellow square below shows the proposed location of the dumpster, and the red dashed line shows the alignment of the proposed dumpster to create a continuation of the existing adjacent building wall.



**LANDSCAPE comment 10** states, "The overhead wires (OHWs) appear to NOT be undergrounded and are existing on the east and west sides where large canopy trees are being shown. Correct and double count per the code. Not all deciduous trees preferable flowering along street facing. Medium canopy trees can be used along the west perimeter. Not all deciduous trees preferable flowering along street facing."

FPL was contacted to confirm if utility lines can be buried, per the 2012 ordinance mentioned above. FPL responded that the city has a perpetual license from the city authorizing the location of overhead facilities adjacent to North Federal Highway, as documented in an email from Joshua Lopez, Associate Engineer with FPL. This license has no expiration and is therefore in effect. Any changes to the license would need to come from the city and must be processed with FPL. As such, the overhead lines are to remain above ground in accordance with this license. Additionally, it was pointed out in the email correspondence that Wawa, the site located south of this property that was developed between 2017 and 2018, also maintained overhead facilities possibly for the same reason.

Thank you for your consideration. If you believe we have adequately and satisfactorily justified the need for these modifications/waivers, please indicate so. The applicant is eager to move forward with the issuance of a Development Order for the property.

Please do not hesitate to contact me with any questions.

Paola A. West, AICP, ISA-CA  
President, Land Planner

## John Iravani

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**From:** Lopez, Joshua <Joshua.Lopez@fpl.com>  
**Sent:** Wednesday, July 24, 2024 9:54 AM  
**To:** John Iravani  
**Cc:** JHI@JHIINC.COM  
**Subject:** RE: 3685 N Federal Hwy Pompano Beach

Good morning John,

As far as I'm aware, we hold a perpetual license from the city of Pompano Beach, authorizing the location of our overhead facilities adjacent to N Federal Hwy. This permit has no expiration date and will thus remain valid indefinitely.

If Pompano requires us to send a note, please let me know and I can work on that for you.

Thank You,

Josh Lopez  
Associate Engineer  
Pompano Service Center – FPL  
330 SW 12<sup>th</sup> Ave  
Pompano Beach, FL 33069  
Office: 954-956-2044  
Email: [Joshua.Lopez@fpl.com](mailto:Joshua.Lopez@fpl.com)  
Office Hours: 8 am - 4 pm M/F



**PLEASE REPORT ANY POWER EMERGENCIES (24/7) BY CONTACTING 1-800-4-OUTAGE**

*Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Engineering Leader, Kasey Raymo at (o) 954-956-2029 or [kasey.raymo@fpl.com](mailto:kasey.raymo@fpl.com)*

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**From:** John Iravani <john@jhiinc.com>  
**Sent:** Friday, July 19, 2024 12:53 PM  
**To:** Lopez, Joshua <Joshua.Lopez@fpl.com>  
**Cc:** JHI@JHIINC.COM  
**Subject:** RE: 3685 N Federal Hwy Pompano Beach

Good afternoon Josh,

Please see the excerpt from the city: Comment 1 for utilities on page 2.

1. Provide evidence and note on plans and in narrative that all overhead utilities will be buried for this project as per 155.5509.

City Code for 155.5509 is:

**155.5509. UTILITY LINES LOCATION**

*In all new development, as well as redevelopment that increases gross floor area by 50 percent or more, all overhead utilities located on the development site and/or along the public right-of-way fronting the development site shall be placed underground to the maximum extent practicable—provided that the Development Services Director shall waive this requirement **where the relevant utility company demonstrates that undergrounding will be detrimental to the overall safety and/or reliability of the circuit.***

[https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl\\_zone/0-0-0-39287](https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl_zone/0-0-0-39287)

They have an out for the requirement if a relevant utility company says that burying the lines will be detrimental to the service.

The Wawa to the south of this project was recently built, pre 2019, and still has the lines above ground at least along Federal Highway.

I will send you the design plans for the electrical when available. Client is holding off on releasing consultants to proceed with permit plans until the hurdle with the city is completed in regards to site plan approval.

Thank you,

*John*

John Iravani, PE  
Jeff H. Iravani, Inc.  
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Jupiter, FL 33458  
Tel: (561) 575-6030  
Cell: (561) 312-8685  
Fax: (561) 575-6088  
[JHI@jhiinc.com](mailto:JHI@jhiinc.com)-- [John@jhiinc.com](mailto:John@jhiinc.com)  
[www.JHIinc.com](http://www.JHIinc.com)

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**From:** Lopez, Joshua <[Joshua.Lopez@fpl.com](mailto:Joshua.Lopez@fpl.com)>  
**Sent:** Friday, July 19, 2024 12:44 PM  
**To:** John Iravani <[john@jhiinc.com](mailto:john@jhiinc.com)>  
**Cc:** [JHI@JHIINC.COM](mailto:JHI@JHIINC.COM)  
**Subject:** RE: 3685 N Federal Hwy Pompano Beach

Good afternoon John,

Thanks for the survey and site plan.

Please forward the code requirement from the city of Pompano. As this is the first time I hear of this, I'd like to show my engineering lead.

When available, please also forward the electrical riser and panel schedule for this project.

Thank You,

Josh Lopez  
Associate Engineer  
Pompano Service Center – FPL  
330 SW 12<sup>th</sup> Ave  
Pompano Beach, FL 33069  
Office: 954-956-2044  
Email: [Joshua.Lopez@fpl.com](mailto:Joshua.Lopez@fpl.com)  
Office Hours: 8 am - 4 pm M/F



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**From:** John Iravani <[john@jhiinc.com](mailto:john@jhiinc.com)>  
**Sent:** Wednesday, July 17, 2024 11:02 AM  
**To:** Lopez, Joshua <[Joshua.Lopez@fpl.com](mailto:Joshua.Lopez@fpl.com)>  
**Cc:** [JHI@JHIINC.COM](mailto:JHI@JHIINC.COM)  
**Subject:** 3685 N Federal Hwy Pompano Beach

Good morning Joshua,

We have a project located at 3685 N Federal Highway in Pompano Beach.  
It will be a demolish and redevelopment of an existing commercial project

The City of Pompano Beach would like confirmation that the overhead power lines can't be buried underground.  
They have a code requirement for frontage overhead wires to be buried unless the utility states the wires can't be relocated underground.

Attached is the survey and site plan for reference.

Thank you,

*John*

John Iravani, PE  
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