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## RESPONSE TO DEVELOPMENT REVIEW COMMITTEE PRE-APP COMMENTS

DATE: December 2, 2020

SUBJECT: 400 East Atlantic Blvd. / P&Z#: 20-12000027

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### FIRE DEPARTMENT

1. Provide a fire apparatus circulation plan, incorporating the approved road widths (minimum 20ft wide) and turning radius, minimum turning radius 30ft inside and 50ft outside. Provide both arcs and center point that arcs are measured from.

**RESPONSE: Fire truck circulation is provided on sheet CIRC-1**

2. Provide detailed plan, how would fire apparatus respond to building stage out of traffic on Atlantic Blvd. and then exit the property back to public right of way.

**RESPONSE: Fire truck turn around and staging areas have been indicated in plans.**

3. Provide fire lane for emergency apparatus to stage and not block public right of way for each of the buildings during a minor emergency event. Staging area must have direct access to main entrance/lobby, command center and elevators for rescue. Minimum 50-foot length; can be used as a loading zone as long as driver remains with vehicle.

**RESPONSE: There are two loading spaces on the west side of the lobby area that can be used as a staging area during a minor emergency.**

4. Submit site/civil plans showing location of existing or proposed water mains (including size) and fire hydrants in area. Refer to NFPA 1 2015ed Chapter 18 for required fire flow, minimum number of hydrants and spacing.

**RESPONSE: The existing watermain within Atlantic Blvd. is shown on sheet WSU-1. The proposed fire line and fire hydrant are shown on WSU-1 as well.**

5. Provide a Hydrant Flow Test to determine the available water supply to this project. This test must be performed by a qualified company of the builder's choice. In addition, the static pressure at the water main shall be determined by a recorded method (ie. water wheel) for a minimum twenty-four (24) hour period. The actual flow test must be witnessed by, and recorded data sent to City of Pompano Beach Fire Prevention.

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**RESPONSE: Fire hydrant flow test has been coordinated with a private contractor and results will be provided.**

6. Provide Fire Flow Data: Fire flow calculations are determined from square footage and construction type of structure. Refer to NFPA 1 chapter 18 for 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 2015ed chapter 18) City of Pompano requires a minimum of 2 fire hydrants. Maximum distance to secondary fire hydrant is 400ft of any future building. Distance is measured by fire apparatus travel on access roadways. (COPFL ORD. 95.09(C)) Complete attached form "Water Supply Fire Flow"

**RESPONSE: Fire flow calculations are to be provided with a later submittal.**

7. Fire protection systems and domestic water supply must have separate water supplies from public water system.

**RESPONSE: The fire line is now separate from the domestic water supply.**

8. Location of fire department connections for fire protection systems. High rise buildings require minimum 2 remote located FDCs.

**RESPONSE: The FDC locations are shown on sheet WSU-1.**

9. Fire Department Connections and fire hose stations will be required for boat dock protection.

**RESPONSE: Noted. FDC and hose locations for the boat dock area will be provided at a later date.**

10. Fire Department access from vehicle staging areas to boat dock areas required. Minimum 8ft to 10ft direct access to docks for fire/emergency operations.

**RESPONSE: An 8' wide pathway is provided along the east side of the site.**

11. Please include on all landscaping pages: Visibility and unobstructed working space must be maintained from fire apparatus access routes to fire protection and life safety appliances/equipment. These include but not limited to: Fire hydrants, fire department connections (FDC), post indicating valves (PIV), fire sprinkler risers, fire alarm control panels and electrical room locations require a minimum 36-inch clearance path to and on all sides. Fire hydrants require 36-inch clear space each side and rear with a 60-inch wide clear access from the fire apparatus access to fire hydrant. (NFPA 1-2015 Ch. 18 Sec. 18.5.7) See attached detail for fire hydrant clearances.

**RESPONSE: Landscaping sheets are now provided.**

12. Provide location of all required life safety systems and access from the exterior of the building. This could include: fire pumps, emergency stand by generators, command centers (access from main lobby/entrance).

**RESPONSE: Life safety plans have now been provided in submittal. Exits are also shown in plans. Life safety systems will be designed to be in full compliance of code.**

13. Provide life safety page for most demanding occupant load floor level. Plan should include conceptual floor plan layout, label each room and occupancy type, maximum occupant load, sufficient exits, travel distance and egress for maximum occupant load. If above level of exit

the large provides information showing sufficient egress capacity and discharge

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**RESPONSE: : Life safety plans have now been provided in submittal.**

14. Provide greater detail for exit access within the structure, exit discharge and exit access to public right of way. All exits must discharge directly to the exterior of the building.

**RESPONSE: Exits discharge directly to exterior or to the main lobby in the case of one stair.**

15. Exit discharge and exit termination must to be a public right of way free of obstructions. Exterior pathways from rear exit doors must also meet same egress requirements for proper width, slope surface, lighting and obstructions.

**RESPONSE: Exit discharges are to public right of way either on Atlantic Blvd or to the canal promenade.**

16. Indoor Radio Propagation Signal Strength Model: This structure may require a Bi-Directional Amplifier system. A qualified BDA designer/installer with local knowledge shall be needed to review this proposed plan. A computer generated "color heat map" showing anticipated unenhanced signal strengths within all areas of the proposed structures shall be required as part of this site plan review. If this computer-generated heat map reveals that there will be insufficient signal strength to support the City's public safety radio communications network, a Bi-Directional amplifier system will be required. Plans for system will be required at building permit. Structures requiring a BDA system will not be issued a TCO or CO until this system is installed, tested and functional. System must be approved by Broward County: Office of Regional Communications and Technology, 115 S Andrews Av, #325 | Ft Lauderdale, FL 33301, Tel: 954-357-8570 or 954-357-8673 (NFPA 1 chapter 11 section 11.10.1, NFPA 72 chapter 24, Florida Building Code Broward County Amendments Chapter 1, Section 118)

**RESPONSE: Noted. Project will be designed to comply with indoor radio propagation requirements.**

17. Integrated Fire Protection / Life Safety System - NFPA 3 Recommended Practice for Commissioning of Fire Protection and Life Safety Systems This recommended practice provides recommended procedures, methods, and documentation for commissioning of active and passive fire protection and life safety systems and their interconnections with other building systems. NFPA 4 Standard for Integrated Fire Protection and Life Safety System Testing The standard shall provide the minimum requirements for testing of integrated fire protection and life safety systems where such testing is required by the design documents, commissioning plan, governing laws, codes, regulations, or standards. Florida Fire Prevention Code 6th Edition NFPA 1 (2015 Edition) has adopted the following Standards: NFPA 3 Recommended Practice for Commissioning of Fire Protection and Life Safety Systems. NFPA 4 Standard for Integrated Fire Protection and Life Safety System Testing. Provide design documents and commissioning plan of all fire protection and life safety systems using these NFPA Standards as the document format.

**RESPONSE: Noted. All fire protection systems will be designed to full code compliance.**

## 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.

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**RESPONSE:** The developer does not intend to bury the existing overhead utilities along Atlantic Blvd. Existing overhead powerlines traverse the Southern frontage of Atlantic Blvd. from the intersection of S. Cypress Rd. 1 mile eastward up until the intersection of Atlantic Blvd & SE 20th Avenue. Requiring burial of overhead wires along roughly 200 lf of this development is prohibitive & not consistent with other new developments in the vicinity along the Southern portion of Atlantic Blvd. A waiver shall be sought for this requirement.

2. 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. Tree survey and tree disposition do not match, correct.

**RESPONSE:** Tree survey by a FL Registered Surveyor shall be updated prior to the subsequent submittal.

3. Staff could not locate a site plan. Is Sheet 009. A101 being considered the site plan as there is not site data.

**RESPONSE:** Site plan has been added as SP-1.

4. 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 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. Correct note on the tree dispo to reflect the above and correct as needed.

**RESPONSE:** Tree Appraisal in accordance with Rule 14-40.030 is now provided. PLEASE NOTE THAT RULE 14-40.030 CONTAINS NO ACTIONABLE INFORMATION IN ITS CURRENT ITERATION (SEE <https://www.flrules.org/gateway/ruleNo.asp?id=14-40.030>). INSTEAD, IT HAS BEEN TRANSFERRED TO RULE 14-10.057. Furthermore, Rule 14-10.057.1.b. states that a Registered Landscape Architect is qualified to submit for Application to Permit Vegetation Management at Outdoor Advertising Sign – there is no mention that ONLY ISA Certified Arborist may prepare such reports as those required by City Code Sec. 155.2411. The LA for this project, Ryan King, RLA, has coordinated with Michael Grosswirth, ISA Certified Arborist FL-9157A to document all existing trees & those adjacent to this site as required by Code. Specific requirements of the tree appraisal are being met. Dollar values for each/every existing tree included on the tree survey are not required per Code Section 155.2411 & Part 5 criteria, or Sec. 155.5204, as well as per discussions with City Landscape Planner, Wade Collum. Additionally, both Article 9, Part 5, 'Tree Assessment' definition & Article 2, Sec. 155.2411.C.3 stipulate that a FL Registered Landscape Architect may appraise & value trees for City Tree Permit application submittal & acceptance. Please revise the City's review comments for future submittals & applicants to indicate that RLA's are entitled to prepare these reports identifying tree inventory & valuations, as it appears to be an infringement upon the privileges of Registered Landscape Architects as designated by Ch. 481 Part II of Florida Statute (in addition to multiple

mentioned instances in the City Code) to mandate that an ISA Arborist exclusively may prepare these reports for Tree Permit application.

Appraised Tree Valuations are now provided for trees numbered 3235, 40, 43, 44, 64, & 78 on the 'Existing Specimen & Trees of Interest Valuation Chart' as shown on L-1 Disposition Plan. Only the appraised value for Specimen Tree #19 is provided on the Disposition Chart. Per Ch. 155, Article 9, Part 5, Specimen Trees are "Any tree which has a DBH of eighteen (18) inches or greater with a condition rating of sixty percent (60%) or greater.." except for Non-Native fruit trees, Ficus trees, Multi-trunk palms, & trees in poor condition. No other tree on or adjacent to this site meet the standard of Specimen Trees per definition.

5. Provide disposition table on the tree disposition / tree survey.

**RESPONSE: See Disposition Table/Chart on sheet L-1 Disposition Plan.**

6. Provide appraised values for trees numbered 32-35, 40, 43, 44, 64, & 78 and submit a tree management plan for canopies and root systems that appear in conflict with proposed building footprint and development. 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: Appraised Tree Valuations are now provided for trees numbered 32-35, 40, 43, 44, 64, & 78 on the 'Existing Specimen & Trees of Interest Valuation Chart' as shown on L-1 Disposition Plan. Only the appraised value for Specimen Tree #19 is provided on the Disposition Chart. Per Ch. 155, Article 9, Part 5, Specimen Trees are "Any tree which has a DBH of eighteen (18) inches or greater with a condition rating of sixty percent (60%) or greater.." except for Non-Native fruit trees, Ficus trees, Multi-trunk palms, & trees in poor condition. No other tree on or adjacent to this site meet the standard of Specimen Trees per definition. Per conversations with the City Landscape Planner, Wade Collum, a tree management plan for canopies & root systems is not necessary. Also, considering only (3) Crape Myrtles are to be relocated, RCA prescriptions for relocation are not required for this project. See Sheet L-2 Existing Tree Notes & Details for the RLA's relocation prescriptions.**

7. Pervious are diagram Sheet A0006 is not accurate, and captures drive aisle, loading, and promenade path, adjust / correct to reflect actual pervious area.

**RESPONSE: Pervious diagram has been revised to reflect actual pervious areas. See plans by the building Architect. Coordination is on-going between disciplines.**

8. Pervious plan / Site plan / Landscape plan do not match. All sheets must match, correct.

**RESPONSE: Plans have been coordinated and are now consistent throughout.**

9. Provide the dollar value and DBH of trees removed vs. the dollar value and caliper of trees replaced.

**RESPONSE: Appraised Tree Valuations are now provided for trees numbered 32-35, 40, 43, 44, 64, & 78 on the 'Existing Specimen & Trees of Interest Valuation Chart' as shown on L-1 Disposition Plan. Only the appraised value for Specimen Tree #19**

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is provided on the Disposition Chart. Per Ch. 155, Article 9, Part 5, Specimen Trees are “Any tree which has a DBH of eighteen (18) inches or greater with a condition rating of sixty percent (60%) or greater..” except for Non-Native fruit trees, Ficus trees, Multi-trunk palms, & trees in poor condition. No other tree on or adjacent to this site meet the standard of Specimen Trees per definition.

10. Correct data table showing how the site is meeting the requirements of 155.5203. C Minimum Site Development Landscaping.

**RESPONSE: Data Table on sheet L-3 Ground Level Landscape Plan has been corrected to separate Site Tree from Street Tree requirements. Site now complies with requirements of Sec. 155.5203.C.y**

11. As per 155.5203.B.2.ii. Based on the height of the building half of all required canopy trees are to be 16' tall and palms to be 22' OA, please adjust.

**RESPONSE: See information at the top of the Code Chart/Data table in the 'General Requirements' section on Sheet L-2 Landscape Plan regarding required/provided quantities of canopy trees & palms that must adhere to Sec. 155.5203.B.2.ii. relative to building height.**

12. Separate street tree count from site tree count.

**RESPONSE: Data Table on sheet L-2 Landscape Plan has been corrected to separate Site Tree from Street Tree requirements.**

13. Provide plant list on the landscape plan.

**RESPONSE: See Ground Level Plant Schedule on sheet L-3, Level 5 Plant Schedule on sheet L-3A, & Level 8/Pool Deck Plant Schedule on sheet L-3B. See the Overall Plant Schedule on sheet L-3C for a total of all plant materials proposed for all levels of this development for clarity. Please refer to the Overall Plant Schedule on sheet L-3C for calculation of provided plant materials for the entire development.**

14. As per 155.2709.F.2, provide street trees at 1 per 25'.

**RESPONSE: Existing Overhead utilities are being retained in place per previous comment response. As such, per Sec. 155.3501.K.5.a.i, small street trees are provided at (1) per 20 lf of Street Frontage.**

15. As per 155.3501.K.5.a.i. Provide Oak trees along Atlantic Blvd. Streets with specific tree species requirements in a designated TO will be shown on the Designated Publicly Accessible Open Space and Greenway Systems Regulating Plan.

**RESPONSE: Existing Overhead utilities are being retained in place per previous comment response. As such, per Sec. 155.3501.K.5.a.i, small street trees are provided at (1) per 20 lf of Street Frontage. Black Ironwood are proposed as Street Trees at 10' ht – the largest size currently available per current Plant Finder publications.**

16. As per 155.3501.K.5.d correct street tree size to be at the time of planting, the shade tree shall be a minimum of 24 feet in height with 8 feet clear trunk.

**RESPONSE: Existing Overhead utilities are being retained in place per previous comment response. As such, per Sec. 155.3501.K.5.a.i, small street trees are**

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provided at (1) per 20 lf of Street Frontage. Black Ironwood are proposed as Street Trees at 10' ht – the largest size currently available per current Plant Finder publications.

17. AS per 155.3501.J. provide 5' foundation planting and 5' VUA perimeter planting along the east side with shrubs, trees at 1:30 and sod.

**RESPONSE: A 2.14' foundation planting strip with shrubs is provided along the East building façade between the building & the VUA. The deficit of the 5' strip is transferred into the Eastern VUA perimeter buffer. A 5' VUA Perimeter buffer strip with trees at 1:30 is provided along the East property boundary. See Ground Level Landscape Plan & Code Chart on sheet L-3.**

18. 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 building.

**RESPONSE: A 2.14' foundation planting strip with shrubs is provided along the East building façade between the building & the VUA. The deficit of the 5' strip is transferred into the Eastern VUA perimeter buffer. See Ground Level Landscape Plan & Code Chart on sheet L-3. Per Sec./ 155.3501.J.2.d., the minimum width of the landscape area shall be 5 ft. Sec. 155.5203.E. requirements are also shown on the Code Chart on sheet L-3.**

19. As per 155.3501.J.3; Provide Modular Suspended Pavement System with aggregate sub base (such as Silva Cell) for trees in landscape areas directly abutting paved areas. Required tree soil volume shall be provided in accordance with Figure 155.3501.J.3.a: Required Tree to Soil Volume Ratio Graph below.

**RESPONSE: Modular Suspended Pavement System is now specified on sheet L-3 Ground Level Landscape Plan. See hatches & legend for locations of such areas underneath the proposed sidewalk along Atlantic Ave. Areas extend 8 ft radius from the trunks of proposed trees for a 500 cf soil volume based on a depth of 3 ft of planting soil for trees with a 21' mature diameter.**

20. As per 155.5102.C.9; provide continuous curbing around all VUA area to prohibit vehicular encroachment into required landscaping.

**RESPONSE: Continuous curbing now provided around all VUA areas. See Site & Landscape Plans.**

21. Provide a cross section detail of the proposed building footers / slab as it appears that it will encroach into the required foundation landscaping soil space at the footers of the building. Provide drawings and verification of the use of monolithic slabs as it relates to these areas

**RESPONSE: Noted. Building structure has not yet been developed. Cross sections and details regarding monolithic slabs will be provided.**

22. Provide Root Barrier specifications on the plan if applicable. Staff strongly recommends a hard physical root barrier, such as Deep Root hard plastic at least 24" in depth in all area bordering hardscapes or utilities.

**RESPONSE: Locations of root barriers are now indicated on the Ground Level Landscape Plan sheet L-3. See sheet L-4 for hard physical root barrier detail, & sheet L-5, Item X for detailed root barrier specifications.**

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23. Provide Maintenance agreement for the ongoing upkeep of proposed tree grates on site.  
**RESPONSE: Counsel for Applicant will prepare maintenance agreement and provide to City prior to building permit.**
24. Provide details specifying underground self-contained palm tree guying systems such as the Platypus for large species palms proposed on sidewalk and pedestrian access areas.  
**RESPONSE: A note has been added to the Large palm Planting Detail on sheet L-4 that states: "NOTE: USE PLATYPUS PALM STAKING SYSTEM PER MANUFACTURER'S DETAILS WHERE PALMS ARE PROPOSED ABUTTING PEDESTRIAN & VEHICULAR USE AREAS." This allows for the contractor to have flexibility for selecting a palm tree guying system that is competitively priced.**
25. As per 155.3709.H.1-3, Waterfront Promenade Design Standards, provide a 10' wide landscape area in addition to docks and promenade and contain shade trees. Reduce rear yard promenade width.  
**RESPONSE: Requirements of Sec. 155.3709.H.1-3 are now being met. See sheet L-3.**
26. [BLANK ON COMMENT DOCUMENT]
27. Elevations and narrative reference possible rooftop planting. Provide a landscape sheet showing rooftop planting. Provide rooftop planter detail with soil composition, soil profile, material, waterproofing, drainage specs, soil specs, top dressing, etc.  
**RESPONSE: See Level 5 Landscape Plan on sheet L-3A, & Level 8/Pool Deck Landscape Plan on sheet L-3B. See rooftop planter detail on sheet L-4, & planting soil specifications on sheet L-5, Item D.2.**
28. If trees are to be containerized specify that the root ball will be shaved at the periphery to remove all circling roots.  
**RESPONSE: See note on sheet L-3, left-hand side of page.**
29. Correct planting detail to reflect the planting hole be 2 1/2 – 3 times the size of the root ball to more closely mirror industry best management practices.  
**RESPONSE: Planting details on sheet L-4 for tree pits shall be updated with the next submittal.**
30. If trees are to be containerized specify that the root ball will be shaved at the periphery to remove all circling roots.  
**RESPONSE: See note on sheet L-3, left-hand side of page.**
31. As per 155.5203.B.5.a: Provide a scaled Irrigation Plan prepared, signed, and sealed by a Florida Registered Landscape Architect.  
**RESPONSE: See Irrigation Plans sheets L-6, L-6A, L-6B, & L-7 prepared & signed by the RLA of Record.**
32. Bubblers will be provided for all new and relocated trees and palms. It is recommended to provide bubblers for all new tree installations until establishment.

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**RESPONSE: Bubblers are provided for all new & relocated trees. See Irrigation Plans sheets L-6, L-6A, L-6B, & L-7.**

33. Provide a note on the plans specifying that all hedges abutting City Rights of way are maintained at a height no greater than 24". It is staff's recommendation that all trees VUA perimeter trees be 14' OA to create a largest CPTED clear line of sight from roadway.

**RESPONSE: See note on sheet L-3, center of page.**

34. As per 155.5204.F. No development, work, or demo activity shall be allowed within the dripline of a tree or tree protection area.

**RESPONSE: See note on sheet L-1, left-hand side of page.**

35. 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.

**RESPONSE: See note on sheet L-1, center of page.**

36. Penalties would be incurred by the contractor for damages to the existing trees on site from the contractor, his 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. Violation 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 ISA Certified Arborist, and be based on all, or a percentage of, the established value assigned to the tree.

**RESPONSE: See note on sheet L-1, center of page.**

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

**RESPONSE: See note on sheet L-1, left-hand side of page.**

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

**RESPONSE: Acknowledged.**

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

**RESPONSE: Acknowledged.**

## ENGINEERING DEPARTMENT

20-120000027

Pre-Application review 6-23-20 david.mcgirr@copbfl.com 954-786-5514

400 E. Atl. Blvd.

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

1. Broward County EPD Surface Water Management Division permit or exemption for paving and drainage plans.

**RESPONSE: A Broward County SWM license application is to be submitted.**

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2. 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. 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. Upload 2019 COPB Engineering Standard street tree detail 316-1.

**RESPONSE: Please refer to the landscape plan provided. The existing and proposed city maintained utilities are shown.**

3. At time of permitting submit an Engineering permit application for the proposed off-site water and sewer, onsite and offsite paving and curbing.

**RESPONSE: Acknowledged.**

4. At time of permitting submit a copy of a signed agreed upon contract or a schedule of values for the proposed off-site water and sewer onsite/offsite paving. Please include sub-base, lime rock, prime and asphalt or concrete. Per page two of the Engineering Application: In order to determine permit fees, please provide an executed contract between the registered property owner and the contractor performing the proposed work.

**RESPONSE: Acknowledged.**

5. Please provide a sediment and erosion control plan for the subject project. All site development must be performed by using Best Management Practices.

**RESPONSE: Sediment and erosion plan following BMPs to be submitted with the construction permit set.**

6. No part of the building or any structures can be in the city right-of-way. The public side walk needs to be in the city right-of-way. Per 100.35 BUILDING OR OBSTRUCTION ON PUBLIC STREETS, SIDEWALKS, AND RIGHT-OF-WAY SWALE AREAS.

**RESPONSE: Comment has been addressed – plans have been updated.**

- (A) It shall be unlawful for any person to erect, build, construct, deposit, or place on or in any street, or any place where the public has the right of passage, any building, structure, or obstruction of any kind whatsoever, or to enclose any street, park, or other public property. Provided, however, that a receptacle for the actual curbside delivery of mail shall not be prohibited pursuant to this section as long as such receptacle does not exceed five feet in height and is securely mounted on posts no larger than four-inch by four-inch or four and one half-inch diameter wood posts or two-inch diameter standard steel or aluminum pipe buried no more than 24 inches in the ground, and the receptacle for mail is located in a manner which does not obstruct vehicular or pedestrian traffic or pose a public safety hazard. ('58 Code, § 44.29)

**RESPONSE: Acknowledged**

- (B) Any building, structure, or obstruction abutting or encroaching upon any public street, alley, sidewalk, or right-of-way swale area in the city is hereby declared to be a public nuisance against the welfare and safety of the public, and the owner, or lessee or agent of the owner, or any person responsible for the presence of any such public nuisance shall remove the nuisance or otherwise comply with the exemption requirements of this section, and shall be guilty of a punishable offense for placement of the nuisance, or for failure to remove same, or for both.

**RESPONSE: Acknowledged**

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#### 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.

**RESPONSE: A 6' wide pedestrian sidewalk and 5' wide bike lane are provided per the required cross section from the land development code.**

#### Proposed bike lane

- We need more information (topographic survey) on how this proposed plan will connect or tie into the existing public roadway paving, curb and gutter, public sidewalks, bike lanes; etc. on the east and west side of this project.
- Additionally, I think we need to have signed and survey data showing the exiting roadway lane widths of Atlantic Blvd. on the east side, west side and in front of this project I don't think that the existing roadway lane widths on the existing x-section are as narrow as they show them on this plan. Are you proposing to change the width of roadway lanes as part of these plans?

**RESPONSE: The information is provided on the grading plan sheet PGD-1 and on the survey. The outer eastbound lane will decrease in width. The existing lane varies from 20' wide at the west end of the property to the 12' wide at the east. The proposed configuration of the curb and sidewalk has been preliminarily coordinated with the engineering and planning, and we are waiting on further feedback on the design.**

7. The proposed watermain and services, sanitary sewer connection to service this project and proposed drainage must be approved by the City of Pompano Beach Utilities Division.

**RESPONSE: Acknowledged.**

8. Upload the 2019 City Engineering standard details for the proposed off-site water, sewer connections, off-site paving, curbing and sidewalks. These detail drawing may be obtained in pdf format from the City's website [www.pompanobeachfl.gov](http://www.pompanobeachfl.gov) under departments /engineering.

**RESPONSE: The city engineering details are provided on sheets PGD-2 and WSU-2.**

9. Submit complete separate Civil plans with water and sewer separate from the PGD plan. Include all cross-sectional drawings.

**RESPONSE: The water and sewer items are now provided on a separate water/sewer/utilities plan sheet WSU-1.**

10. The proposed dock will require a COPB Engineering permit. It will need to be constructed per COPB CO 151.01 Beaches and waterways.

[https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanobeach\\_fl/0-0-0-86141#JD\\_Ch.151](https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanobeach_fl/0-0-0-86141#JD_Ch.151)

**RESPONSE: Acknowledged. A permit application will be submitted.**

11. Note on Engineering plan that any existing water and/or sewer connection to the subject lots not utilized are to be cut and capped at the water main if a water service and cut out and sleeved if a sewer lateral.

How to retire old laterals

If the existing main is clay pipe and has a CIPP liner currently installed. (Install a sectional liner in the main over the old lateral thus eliminating the lateral) If the existing main is clay pipe. (Dig down cut old clay pipe, sleeve back in with PVC and city approved couplings)

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If the existing main is clay pipe and you are required to retire multiple laterals for a project. (It may be cheaper for the contractor to install a city approved CIPP liner from manhole to manhole and not cut out the laterals that they are retiring) If the existing main is PVC pipe. (Remove the lateral pipe from the PVC Wye fitting and install a plug into the Wye. Install a green locating marking ball at the lateral locating, no deeper than 4 ft. below grade)

**RESPONSE: These notes are now provided on sheet WSU-1.**

12. With the proposed on street parking please place a note on the PGD plans that the existing roadway within the project limits and possible beyond will be inspected by the City Engineer, Public works director or a designated representative for damage due to construction prior to final acceptance. A partial or full milling and overlay of the roadways may be required.

\*\*\*\* 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. \*\*\*\*

**RESPONSE: The note is now provided on sheet PGD-1.**

## ZONING

MM090 Mixed-Use: max 90 unit per AC, non-residential use on the first floor abutting Atlantic Blvd.  $69,652/43560 \times 90 = 143$  units but with dedication (+/-1,000) so the density cal is not based on net after dedication  $69,652/43560 (1.598989) \times 150 = 239$  units so the density cal is not based on net after dedication, Max 80 ft for mixed use and residential use.

Tower Building Type  
Site and General

1. Indicate the number of units and commercial areas proposed on Zoning Information and correct the parking spaces.  
**RESPONSE: Number of units, commercial space and parking count has been updated.**
2. Revise the project based on the post dedication property line: # of units, setbacks, dimensional requirements, any enrichments, etc.  
**RESPONSE: Project has been revised accordingly.**
3. Provide dimensions of loading berths for clarification per Section TABLE 155.5102.M.2. Dimensional Standards for Loading Areas. The loading berth shall be at least 12 ft X 55 ft with 14' clearance.  
**RESPONSE: Dimensions have been added to loading berths.**
4. Provide a min of 10% pervious areas. Revise the project.  
**RESPONSE: See pervious area diagram.**
5. Dedication along Atlantic Blvd to be 55 ft, measured from the centerline, 110 ft wd, Table 100.01(B): Arterial Thoroughfares with Required ROW Width. Revise the plans accordingly and be advised that dedication shall be completed prior to permit approval.  
**RESPONSE: Plans have been revised accordingly.**

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6. Easement recorded for the proposed sidewalk located in property. Or Revise ROW Section to locate 6' sidewalk in ROW. 55 ft shall be measured from 'turn lane' to the property line.  
**RESPONSE: Plans have been revised accordingly.**
7. Provide street furniture, per Section 155.3501. H. 6. c. iv. All street furniture shall be subject to the approval of the city.  
**RESPONSE: Noted. Street furniture has not yet been chosen. Plans and details will be provided.**
8. Live oak trees to be planted along Atlantic BLVD.  
**RESPONSE: Please see landscape section comment response numbers 14, 15, and 16.**
9. Illustrate the proposed streetscape on plans.  
**RESPONSE: Atlantic Blvd streetscape is now indicated in the project and is in compliance with the adopted rules and regulations in terms of curb, width, plantings, bike path and pedestrians sidewalk.**
10. Clarify the required common private open space on the plan for record, a min. of 10% of the site, per Section 155.3501. K. 3, Private Open Spaces  
**RESPONSE: See diagram.**
11. Please be advised that a Park Impact Fee will be applied at permitting.  
**RESPONSE: Acknowledged.**
12. Provide bike path and walkway connecting from the sidewalk to the lobby, per Section 155.5101.H, Bicycle Access and Circulation Section 155.5101.I, Pedestrian Access and Circulation. The bike path and walkway must be at least 5 ft.  
**RESPONSE: See diagram**
13. Provide a bike rack detail and identify its location on the site plan.  
**RESPONSE: Bike racks are located in the garage. Bike rack detailed has been added.**
14. Mechanical Equipment and Service Utilities shall be screened from public view, per Section 155.3501. K. 1, Mechanical Equipment and Service Utilities.  
**RESPONSE: Acknowledged**
15. 155.3501. K. 1, Designated Publicly Accessible Open Spaces to obtain approval of Density Bonus Option: The minimum size of a new designated publicly accessible open space shall be 4,800 SF and new designated publicly accessible open spaces shall be provided at grade level. Prior to Site Plan approval, designated Publicly Accessible Open Spaces shall obtain the City's approval and be recorded. It shall not count toward the minimum private open space requirement.  
**RESPONSE: The Project is designed to achieve 28 sustainability points without provision of Designated Publicly Accessible Open Space. As such, it is not proposed.**
16. Provide a traffic analysis. If the proposed development is expected to generate more than 100 external trips per hour during the a.m. or p.m. peak hour of the adjacent street then a traffic study is required per 155.3709. J. Traffic Analysis Requirements.  
**RESPONSE: Applicant shall provide traffic analysis with next submittal.**

17. Affordable Housing: the project shall comply with such requirements, 155.3709.K.  
**RESPONSE: Acknowledged. Project will comply.**
18. K. Affordable Housing  
**RESPONSE: Acknowledged. Project will comply.**
19. The ETOC land use plan amendment created 2,399 new residential units and a minimum of 15% of those units (360 units) are required to be affordable or to contribute to the implementation of the city's policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing in the city.  
**RESPONSE: Applicant will contribute to fund in lieu of providing the units in the Project.**
20. Comply with requirements specified in Section 155.3501. I.2.c, Parking Garages and 155.5605. C, General Parking Deck or Garage Design Standards.  
**RESPONSE: Project will comply.**
21. The project shall demonstrate at least 12 points of Sustainable Development Options, per Section 155.5802. Sustainable Development Point Requirement.  
**RESPONSE: Please refer to the Site Data Table included with the plan set, which details the Sustainable Development Points as required.**
22. Provide a plat. CASSELS ADD TO POMPANO 1-118 PB  
**RESPONSE: Please refer to the Plat included with this submittal, as well as the Platting Determination Letter received from the Broward County Planning Council.**
23. Provide a SCAD Letter from the School District, prior to requesting for the PZB meeting.  
**RESPONSE: The applicant is processing a Public School Impact Application with the School District and will provide the required SCAD prior to requesting for PZB meeting.**
24. Note that the CPTED plan approved by the Broward Sheriff's Office shall be provided for Zoning Compliance Permit approval.  
**RESPONSE: CPTED plan is now provided**
25. Pursuant to Section 155.5509, 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.  
**RESPONSE: The developer does not intend to bury the existing overhead utilities along Atlantic Blvd. Existing overhead powerlines traverse the Southern frontage of Atlantic Blvd. from the intersection of S. Cypress Rd. 1 mile eastward up until the intersection of Atlantic Blvd & SE 20th Avenue. Requiring burial of overhead wires along roughly 200 lf of this development is prohibitive & not consistent with other new developments in the vicinity along the Southern portion of Atlantic Blvd.**
26. Per Section 155.5101. G.3, only one two-way driveway, or one pair of one-way driveways, is allowed onto lots with 200 or less feet of lot frontage on the arterial or collector street, and no more than one additional two-way driveway or pair of one-way driveways per additional 200 feet of frontage.  
**RESPONSE: Plans have been updated to show a single two-way driveway.**



27. For a DRC review, provide a response to Site Plan Review Standards specified in Section 155.2407. E.

**RESPONSE: Please refer to the Project Narrative included with this submittal, which includes responses to the Site Plan Review Standards as required.**

#### Building Design

28. Clarify roof top components and provide heights per Table 155.3501.N.1: Maximum Allowable Height Encroachments of Building Elements. If conflict, revise the project. no roof top structure exceeds 15 ft.

**RESPONSE: No rooftop elements exceed 15'.**

29. Relocate the proposed terrace within 15 ft setback along the east property line.

**RESPONSE: Project has been revised.**

30. Any encroachment of structures in the right-of-way requires a revocable license agreement pursuant to Code Section 100.35, per Section 155.3501. H. 6. c. iv. e.

**RESPONSE: Counsel for Applicant will prepare revocable license agreement for any encroachments in the right-of-way.**

31. Revise the balconies encroaching into ROW, Table 155.3501.O.5: Maximum Allowable Projections and Encroachments of Architectural Elements. Upper floor only, 3 ft into a public right-of-way

**RESPONSE: Balconies no longer encroach into ROW.**

32. Revise the building length, per Section 155.3501. O. 2. a. Building Length. The maximum horizontal dimension of a building shall be 300 feet at any level

**RESPONSE: An Administrative Adjustment will be requested to allow the proposed building length.**

33. Revise the building or demonstrate compliance on the building plans.

**RESPONSE: As noted above, an Administrative Adjustment will be requested to address compliance.**

#### BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAM

##### Tower Building Type

- a. A Max. of Average 20,000 sqft for towers and 32,500 sqft for floorplate

**RESPONSE: An Administrative Adjustment will be requested to allow the proposed floor plate.**

- b. tower separation shall be a min of 60 ft

**RESPONSE: Acknowledged**

- c. the min stepback for the tower shall be 10 ft from the podium along interior and rear property lines.

**RESPONSE: Plans have been revised.**

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- d. The tower orientation shall be along Designated Publicly Accessible Greenways and Open Spaces.

**RESPONSE: Acknowledged**

34. Per Section 155.3501. O. 2. B, Building Separation.

- i. Tower buildings or buildings greater than 6 stories built to the maximum building length shall provide a minimum 30-foot separation from the subject building and any adjacent building on the same lot or an adjacent lot. The 30-foot separation shall be open to the sky and improved as a pedestrian passage or open space running the entire length of the block and shall provide building access and connect with the existing city street grid. If the separation is publicly accessible, a minimum of 50% active use shall be provided for the portion of the ground floor fronting the pedestrian passage or open space.

**RESPONSE: Acknowledged**

35. A min. of 90% of the building frontage shall be designed for active use, Table 155.3709.I.2.b: Minimum Building Frontage (Active Use) Percentage per Street Type. A leasing office should be fronting the street to comply with the requirements.

**RESPONSE: Street level on Atlantic has been designed to comply with active use requirements.**

36. Revise the building, per Section 155.3501. O. 2. h, Active Use Standards. Active uses shall be required along all building frontages as specified within the Overlay District and the following shall apply:

- i. Ground floor active use, liner.

- a) The minimum depth of an active use liner is measured generally perpendicular to the building frontage. The minimum depth of the active use liner shall be 20 feet.

**RESPONSE: Acknowledged**

- ii. Ground floor active use nonresidential or residential lobby; Active uses located along the ground floor of a building typically contain retail uses, but can contain any use that generates pedestrian activity. Active uses shall be provided in compliance with the following standards:

**RESPONSE: Acknowledged**

- d) They shall have a transparent clear glazed area of not less than 70% of the facade area;

**RESPONSE: Percentage has been added to ground floor plan.**

- e) Ground floor window sills shall be placed at a maximum height of 24 inches above grade; and

**RESPONSE: Acknowledged.**

- f) Security enclosures, if any, shall be of the mesh type that pedestrians can see through, and shall be located behind storefront displays.

**RESPONSE: Acknowledged.**

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- g) The glazed area shall have a minimum visible light transmittance of 75% and a maximum reflectance of 15%.

**RESPONSE: Acknowledged.**

- h) The glazed area shall be designed to allow view of an interior space at least five feet deep (e.g. transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter or opaque films applied to the glazing.

**RESPONSE: Acknowledged.**

- i) At least 50% of the area of security screens and gates shall be transparent.

**RESPONSE: Acknowledged.**

37. The proposed development shall obtain approval of 155.2416. MASTER SIGN PROGRAM from AAC.

**RESPONSE: Acknowledged, Applicant will submit Master Sign Program separately at later stage.**

38. Provide a lighting plan and details per 155.3501. M. TO District Exterior Lighting Standards Exterior lighting shall comply with the standards in Part 4 (Exterior Lighting) of Article 5: Development Standards as well as the following additional and/or modified standards:

- Light poles shall not exceed a height of 17.5 feet above the adjacent finished grade;
- No cobra head lights are permitted;
- lighting shall be weather and vandal resistant (i.e. resistant to graffiti, shattering, etc.);
- All exterior lighting is encouraged to be solar powered;
- TO properties are exempt from the standards in Section 155.5401.C (Lighting Location and Required Landscaping and Tree Protection); and 155.3501. I.2.c. Parking Garages

**RESPONSE: A lighting plan is now provided.**

c. Parking Garages

In addition to the parking garage design requirements in Section 155.5605, multi-level parking garage structures, whether stand-alone or part of a larger development, shall comply with the following standards:

- i. Along a primary and secondary street, the ground floor of the garage shall be screened by a liner building containing a minimum depth of 20 feet that may be used to achieve the minimum active use requirement in the Overlay District. Above the ground floor, a liner building shall not be required.

**RESPONSE: Acknowledged.**

155.5605. C. General Parking Deck or Garage Design Standards

Multi-level parking deck or garage structures, whether stand-alone or part of a larger development, shall comply with the following standards:

1. All levels of the parking deck or garage structure shall comply with the standards below:

- a. All building facades of the parking deck or garage that are facing a street; within 100 feet of a street or an open space; or are visible from a street shall be no more than

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complement the principal structure and contain all of the following architectural treatments:

- i. Facade articulation (i.e. wall offsets); and
- ii. Horizontal and vertical projections; and
- iii. Material and color variation; and
- iv. Varied proportions of openings.

**RESPONSE: Acknowledged.**

- b. No vehicles parked within or on the roof of the deck or garage shall be visible from the street. All openings shall be treated with decorative screening or in a manner that creates the appearance of an active use area and conceals all internal elements such as plumbing pipes, fans, ducts and lighting, and;

**RESPONSE: Acknowledged.**

- c. No deck or garage ramp areas shall be visible from the street and shall be internal to the building.

**RESPONSE: Acknowledged.**

- d. The exposed top level of a parking structure shall be covered a minimum of 60% with a shade producing structure such as, but not limited to, a vined pergola or retractable canvas shade structure.

**RESPONSE: Does not apply to proposed design.**

2. Openings off any street shall not exceed two lanes in width or 30" maximum per entrance/exit. Entrances/exits on alleys/service roads are exempt from this requirement.

**RESPONSE: Acknowledged.**

3. If the deck or garage is accessed from a street, there shall be only one point of access to the garage area from that street.

**RESPONSE: Acknowledged.**

4. Pedestrian entrances to the deck or garage shall be directly from a frontage line through an exterior or interior pedestrian passage or a combination thereof running from the rear to the front of the lot. Parking spaces serving residential units are exempt from these requirements.

**RESPONSE: Pedestrian access has been added.**

## PLANNING

1. Land use for this parcel is ETOC. An application requesting to construct 240 multifamily residential units, 2,800 square feet of street facing retail/commercial, and 3,800 square feet of amenity space. The ETOC land use requires affordable housing contributions, and the applicant may either: set aside a minimum of 15% of the proposed units as affordable housing or contribute the in-lieu-of fee for each unit.

**RESPONSE: Acknowledged.**

2. Based on a platting determination letter, written by Broward County Planning Council dated April 1, 2020, replatting is not required.

**RESPONSE: Confirmed.**

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3. Prior to building permit approval, a School Capacity Availability Determination (SCAD) letter from the Broward County School Board must be provided to confirm that student capacity is available  
**RESPONSE: A SCAD letter will be provided prior to issuance of a building permit as required.**
4. The city has sufficient resource capacity to accommodate the proposal.  
**RESPONSE: Acknowledged.**
5. The Applicant may submit to DRC for a formal review.  
**RESPONSE: Acknowledged.**

## **SOLID WASTE AND RECYCLING**

1. Ensure adequate height clearance, access, and maneuverability for trash collection vehicles are provided.
  - a. Height clearance for collection vehicles is 15 feet for driving and 21 feet for servicing dumpsters. There does not appear to be enough clearance in the garage for a garbage truck to access and service the trash room in its current location.  
**RESPONSE: Non leak trash bins will be rolled out by building management on collection days to a clear height location. See solid waste diagram.**
  - b. Maneuverability of a garbage truck within the garage (as designed) will be nearly impossible. Specifications for collection truck turning radii have been uploaded to EPlan for your reference.  
**RESPONSE: The refuse truck routing is provided on plan sheet CIRC-1.**
2. It is highly suggested for the trash and recycling to be relocated so as to be accessible from outside of the garage, and if possible, adjacent to the access easement on the site.  
**RESPONSE: See solid waste diagram.**
3. The trash room is not adequate in size to accommodate 240 rental units plus 2800 square feet of commercial use. Separate garbage and/or recycling for the commercial and office uses is needed.  
**RESPONSE: Trash room size has been increased.**
4. Show location and accessibility of trash and recycling (if needed) collection area for the commercial/office uses planned for this site.  
**RESPONSE: Plans have been updated.**

NOTE: Applicant is urged to meet with City of Pompano Beach Solid Waste Services Department staff prior to submitting plans for DRC as relocation and addition of trash collection areas will impact the design of the site.

**RESPONSE: Acknowledged.**

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

**RESPONSE: Acknowledged.**

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

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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.

**RESPONSE: Acknowledged.**