



**DUNAY
MISKEL
BACKMAN** LLP

Gary Dunay
Bonnie Miskel
Scott Backman
Eric Coffman

Hope Calhoun
Dwayne Dickerson
Ele Zachariades
Matthew H. Scott

Christina Bilenki
Lauren G. Odom
Nicole Jaeger
Rachael Bond Palmer

RESPONSE TO: Planning and Zoning Department

DATE: July 27, 2021
SUBJECT: 400 EAST ATLANTIC BOULEVARD MAJOR SITE PLAN
P&Z#20-12000027

Summary:

The applicant is requesting MAJOR SITE PLAN and MAJOR BUILDING DESIGN approval in order to construct a new mixed-use development of a 3,000 sq.ft. commercial use and 234 units. This proposed development will require a total demolition of the property.

RESPONSE: The project has been modified to provide only 204 units.

PLANNING

Plan Reviewer: Daniel Keester (daniel.keester@copbfl.com) Status: Review Complete Pending Development Order

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. Please review the definition of Affordable Units (154.61) and identify how the Applicant intends to comply with this regulation.

RESPONSE: The project has been modified to provide only 204 units. The Project will comply by either paying the in lieu fee or setting aside units.

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

RESPONSE: Acknowledged. Thank you.

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 is being prepared and will be provided prior to building permit approval.

4. The city has sufficient resource capacity to accommodate the proposal.

RESPONSE: Acknowledged. Thank you.

DRC

PZ20-12000027

8/18/2021

ENGINEERING DEPARTMENT

Plan Reviewer: David McGirr (david.mcgirr@copbfl.com)

Status: Review Complete Pending Development Order

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

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

RESPONSE: Acknowledged. A SWM license will be obtained during permitting.

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: Acknowledged.

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: Noted. An application will be submitted during permitting.

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: Noted. This information will be submitted during permitting.

5. With the proposed construction 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. Or continue the mill and overlay to the western construction limits.

RESPONSE: The note is now provided on the PGD plan.

FIRE DEPARTMENT

Plan Reviewer: Jim Galloway (jim.galloway@copbfl.com)

Status: Review Complete Resubmittal Required

DRC

PZ20-12000027

8/18/2021

() 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: A fire flow calculations table is now provided.

() Fire Department Connections and fire hose stations will be required for boat dock protection. FDC for docks would be located at right of way with fire hydrant. 2-1/2 inch fire hose stations would be located along docks as per NFPA 303 Fire Protection Standards for Marinas and Boatyards.

RESPONSE: The FDC for the dock fire line is provided at the entrance to the site. The fire hose stations are now provided every 100' along the dock.

() 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 systems have been included in the plans. These systems will be further refined as the project is developed.

() 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. What is the total occupant load discharging to the South of building? Provide occupant load calculations that egress paths are capable of discharging loads to right of way to Atlantic Blvd.

RESPONSE: All exits discharge to public right of ways. Calculations have been provided on the life safety plans.

() Four (4) of the buildings Five (5) exits discharge to the South side of proposed building. Provide detailed Exit discharge plan showing proposed exterior exit discharge is sufficient for occupant load from exits, exit discharge to public right of way. Public right of way would be back to Atlantic Blvd. Proposed 8ft exterior access to boats, is this sufficient, does it meet all requirements of a safe and protected egress? Is it sufficient for egress capacity and fire department fire apparatus access and firefighter access into building at the same time?

RESPONSE: The exits that discharge to the southside of the building access a direct, unobstructed route back to Atlantic Blvd. This route is free and clear on both the East and West sides of the property.

CRA

Plan Reviewer: Kimberly Vazquez (kimberly.vazquez@copbfl.com)

Status: Review Complete Pending Development Order

DRC

PZ20-12000027

8/18/2021

Land use for this parcel is ETOC and the application includes a mixed-use project of 240 multifamily residential units and 2,800 square feet of street facing retail/commercial and 3,800 square feet of amenity space. This project sits just outside of the CRA Boundary but is in line with ETOC land use.

RESPONSE: Project has been reduced to 204 units.

UTILITIES

Plan Reviewer: Nathaniel Watson (nathaniel.watson@copbfl.com)

Status: Review Complete Resubmittal Required

1. Please note that additional comments may be forth coming contingent upon future submittals to the PAM and/or DRC review process.

RESPONSE: Acknowledged. Thank you.

2. Please procure Broward County EPD Surface Water Mgmt. approval or exemption for the proposed site development. Applicable during official e-plan submittal.

RESPONSE: Acknowledged. A SWM license will be obtained during permitting

3. Please exercise best management practices with regard to protection of existing and proposed storm water systems.

RESPONSE: Noted. BMPs will be implemented based on the NPDES SWPPP guidelines.

4. Civil plan 042 WSU-1 Water, Sewer Utilities Plan must show the proposed public hydrant as perpendicular to the main connection. Please correct.

RESPONSE: The layout of the proposed fire hydrant has been revised to be perpendicular to the connection at the main.

5. Please note Civil plan 042 WSU-1 Water, Sewer Utilities Plan, the projected water consumptive use demand (GPD) and the wastewater discharge (GPD) for the project.

RESPONSE: A table is now provided on the bottom of sheet WSU-1.

WASTE MANAGEMENT

Plan Reviewer: Beth Dubow (beth.dubow@copbfl.com) Status: Review Complete Resubmittal Required

Solid Waste and Recycling Comments Project Name: 400 E. Atlantic Address: 400 E. Atlantic Blvd.

P&Z#: 20-12000027

Date Reviewed: 04/05/2021

1. Toting garbage dumpsters through the garage to the front of the building is not recommended.

DRC

PZ20-12000027

8/18/2021

RESPONSE: Solid waste vehicles can now enter the building to pick up garbage directly in the loading dock zone adjacent to the trash collection room.

2. Specify the garbage loading area on the site plan. Blocking the entrance while servicing multiple containers five times a week is not acceptable.

RESPONSE: The solid waste strategy for the project has been redesigned to allow the solid waste vehicle to access the trash collection area directly without the need to cart garbage bins around the site.

3. The trash room is not adequate in size to accommodate 240 rental units plus 2,800 square feet of commercial use. Separate garbage and recycling for the commercial and office uses are needed.

RESPONSE: Trash room has been increased in size and unit count has been decreased from 240 to 204 units.

4. Please note the location of the trash chutes on the floor plans of the various levels.

RESPONSE: Noted.

5. 2-yard containers are not recommended for this large number of units and the amount of commercial use. It will take far too long (while blocking the single entrance to this site) to service the number of containers that will be needed for this site.

RESPONSE: Please see previous responses. Solid waste strategy has been redesigned to better accommodate the building and residents.

6. Applicant is urged to meet with City of Pompano Beach Solid Waste Services Department staff prior to resubmitting plans for DRC.

RESPONSE: Applicant met with solid waste department. Thank you.

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

RESPONSE: Acknowledged. Thank you.

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.

RESPONSE: Acknowledged. Thank you.

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.

RESPONSE: Acknowledged. Thank you.

DRC

PZ20-12000027

8/18/2021

BUILDING DIVISION

Plan Reviewer: James DeMars (james.demars@copbfl.com)

Status: Review Complete Pending Development Order

Advisory Comments

A preliminary examination of the documents has been performed; additional comments may apply when completed plans and/or specifications have been submitted for permitting to the building department. Buildings shall comply with all local, state and federal codes in effect at time of application, including FEMA Floodplain, NPDES and HVHZ regulations.

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

City Ordinance 152.06(A): If applicable, contractor shall provide temporary screened fence complying with City Ordinance 152.06(B) through 152.06(G).

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

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. residential buildings shall comply with City Ordinance 152.29(C)(1)(A) and nonresidential buildings shall comply with City Ordinance 152.29(C)(1)(B). Highest crown of road is 14.97' NAVD, residential finish floor elevation is required to be a minimum of 16.47' NAVD to comply with local ordinance.

RESPONSE: Acknowledged and will comply. Thank you.

DRC

PZ20-12000027

8/18/2021

FHA Title VIII of the Civil Rights Act of 1968, commonly known as the Fair Housing Act, prohibits discrimination in the sale, rental, and financing of dwellings based on race, color, religion, sex, and national origin. In 1988, Congress passed the Fair Housing Amendments Act. The Amendments expand coverage of Title VIII to prohibit discriminatory housing practices based on disability and familial status. Now it is unlawful to deny the rental or sale of a dwelling unit to a person because that person has a disability.

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

FBC A221.1.1 Florida vertical accessibility. Nothing in this code relieves the owner of any building, structure, or facility governed by this code from the duty to provide vertical accessibility to all levels above and below the occupiable grade level, regardless of whether the ADA standards for accessible design require an elevator to be installed in such building, structure or facility.

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

DRC

PZ20-12000027

8/18/2021

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.

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

7. FBC 1017.2 Limitations. Exit access travel distance shall not exceed the values given in Table 1017.2.

RESPONSE: Acknowledged and will comply. Thank you.

8. 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.

RESPONSE: Acknowledged and will comply. Thank you.

9. 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.

DRC

PZ20-12000027

8/18/2021

RESPONSE: Acknowledged and will comply. Thank you.

10. 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.

RESPONSE: Acknowledged and will comply. Thank you.

11. FBC_BCA 107.3.5.2 The enforcing agency will require that all shop drawings, (i.e. components attached to building structure, window walls, railings, 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.

RESPONSE: Acknowledged and will comply. Thank you.

12. 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).

RESPONSE: Acknowledged and will comply. Thank you.

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.

RESPONSE: Acknowledged and will comply. Thank you.

14. FBC_BCA 110.7 For threshold buildings, shoring and associated formwork or false work shall be designed and inspected by an engineer, employed by the permit holder or subcontractor, prior to any required mandatory inspections by the threshold building inspector.

RESPONSE: Acknowledged and will comply. Thank you.

15. FBC_BCA 110.8.1 The enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building.

RESPONSE: Acknowledged and will comply. Thank you.

16. 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.

RESPONSE: Acknowledged and will comply. Thank you.

DRC

PZ20-12000027

8/18/2021

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.

RESPONSE: Acknowledged and will comply. Thank you.

17. 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.

RESPONSE: Acknowledged and will comply. Thank you.

18. 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.

RESPONSE: Acknowledged and will comply. Thank you.

19. 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.

RESPONSE: Acknowledged and will comply. Thank you.

20. 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.

RESPONSE: Acknowledged and will comply. Thank you.

21. 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.

RESPONSE: Acknowledged and will comply. Thank you.

22. 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.

RESPONSE: Acknowledged and will comply. Thank you.

DRC

PZ20-12000027

8/18/2021

23. 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.

RESPONSE: Acknowledged and will comply. Thank you.

24. 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.

RESPONSE: Acknowledged and will comply. Thank you.

BSO

Plan Reviewer: Patrick Noble (Patrick_Noble@sheriff.org)

Status: Review Complete Resubmittal Required

Reviewed: April 2021

Subject: CPTED and Security Strengthening Report: PZ20-12-000027 Reviewer: BSO Deputy Patrick Noble #9436 for the City of Pompano Beach Patrick_Noble@sheriff.org M-(954) 709-7006 (Call, Text & Email; No Voicemail); Monday - Thursday; 8 AM- 4 PM

Note this is the second review and there are still a number of items that have not been addressed at all or not addressed satisfactorily. Please address all listed items with a response.

*** ATTENTION IMPORTANT ***

The services of an independent, and highly experienced, qualified and certified Security Crime Prevention/ CPTED Consultant are highly recommended to achieve and maintain objective credible security review integrity, and to expedite processing.

Disclaimer:

This safety and security review does not guarantee a crime will never occur; it is an effort to mitigate opportunities for crime and to help avoid any present and future security deficiencies, conflicts, threats, breaches, or liabilities that might occur without any review.

Attention: Complete the Conditions Checklist by Initialing as indicated after each Section/ Subsection Complied With, and Include Your Detailed Response Using the Corresponding Section Numbers. Labeled digital image file attachments are acceptable for referencing where it provides improved responses.

Sample Response: Section 1a. Trespass Program enrollment affidavit will be completed and required signage posted.

*** ATTENTION IMPORTANT ***

DRC

PZ20-12000027

8/18/2021

DRC SUBMISSIONS REQUIRE EACH AND ALL OF THE FOLLOWING ISSUES ARE SPECIFICALLY ADDRESSED WITH AN ADEQUATE RESPONSE:

1. CPTED/ Security Strengthening Narrative Plan. Initials

RESPONSE: Please refer to the CPTED Plan included with this submittal, which includes narrative detailing the security strengthening.

2. SEPARATE CPTED/ Security Strengthening Drawing Plan which must visually demonstrate the location & specific details of CPTED/ Security Strengthening features including:

RESPONSE: Please refer to the provided CPTED plan.

- a. Landscaping type, placement & dimensions, Initials

RESPONSE: Please refer to the trees and shrubs shown on the CPTED plan and the details provided on the landscape plan L-3.

- b. Lighting types such as pole, motion-sensor, etc., Initials

RESPONSE: All lighting equipment shall follow all building codes and marine turtle code. Compliance shall be met prior to building permit.

- c. Fencing type, placements & dimensions, Initials

RESPONSE: The information is provided on the CPTED plan.

- d. Signage type & placement, Initials

RESPONSE: The information is provided on the CPTED plan.

- e. Camera type, location & scope of cameras, Initials

RESPONSE: Detailed security solution will be provided before building permit.

- f. Access control types exterior & interior access controls including doors, windows, hardware, entry systems, Initials

RESPONSE: Detailed security solution will be provided before building permit.

- g. Pedestrian & vehicle circulation patterns, Initials

RESPONSE: Circulation diagram has been provided.

- h. Dumpster/ enclosure type & design, Initials

RESPONSE: Detailed solid waste equipment solution will be provided before building permit.

- i. Alarm types, locations, etc. Initials

RESPONSE: Security system information provided on CPTED plan.

- j. Parking garage & lot types - include all security features & measures, Initials

DRC

PZ20-12000027

8/18/2021

RESPONSE: Detailed security solution will be provided before building permit.

- k. Any other special considerations relevant to the specific type of development, etc. Initials

RESPONSE: Acknowledged.

3. All mandatory compliance condition requirements must be thoroughly addressed with a detailed explanation of how the conditions will be achieved. Provide specific detailed correlating references to each listed item on Narrative and Drawing Plans. Initials

RESPONSE: A narrative is provided on the CPTED plan.

4. CPTED/ Security Plan Preparer must agree to compliance of all listed conditions and sign responses to comments acknowledging thus. Initials

RESPONSE: Acknowledged.

Attention:

Existing or future safety and security development posture may be significantly improved following implementation of the various CPTED and Security Strengthening measures recommended in this review report. Several of the recommendations are also only procedural that can be achieved at little or no cost.

Site development planning and preparation for meaningful safety and security defensive posture initiated and completed well in advance is paramount to effective determent, resistance and resilience. It must include ability and readiness to help protect persons and property on site, and in nearby areas affected by the development. It cannot create conditions that contribute to crime on site and/ or in the community by being lax in its safety and security development posture. It must be prepared for responses to wide ranging real and present or future threats and emergencies by including preventative modern CPTED and Security Strengthening philosophies, methodologies and strategies. Many site/ building developers, designers and planners, be it residential, commercial, governmental, educational or recreational, have little or no knowledge of these intricate and interwoven safety and security disciplines and therefore squander an invaluable opportunity to design, build and maintain a truly safer and more secure place to live, learn, work and enjoy life without a real fear or risk of becoming a victim of crime, including of a violent nature. Working closely together with the Developers, Designers, Architects, Builders, Users, City's Development Services and Planning Departments, highly qualified and experienced CPTED/ Crime Prevention Practitioners undoubtedly play a hugely vital role in building a new or retrofitting an overall far safer and secure site development environment.

A site inspection including BSO and Development Services Staff is strongly recommended. Existing vulnerabilities outlined in the report can be addressed and explained thoroughly on site for complete understanding.

A safe and secure development is a priceless and essential benefit to all members and guests of the community.

2. CPTED Landscaping Standards 2A: Natural Surveillance

RESPONSE: Please refer to the landscaping shown on the CPTED and landscape plan sheet L-3.

DRC

PZ20-12000027

8/18/2021

- d. Maintain an 8" foot clear trunk for canopy trees and tall plants without any obstructive limbs or foliage hanging down that would obstruct Natural &/ or Electronic Surveillance.

Initials

RESPONSE: Acknowledged. 8" clear trunk will be maintained and limbs and foliage will be maintained to prevent obstruction of the surveillance.

- e. Note that young immature trees with 6" inch or less diameter trunks are excluded from this condition ONLY WHILE MATURING per code, Initials

RESPONSE: Noted.

2B: Territorial Reinforcement Initials

- a. If any vulnerable areas exist such as along the remote Western fence line for example, design in dense, low-profile and/ or harsh thorny-like non-obstructive (maximum height 2' to 2.5' feet) landscaping, also in any other vulnerable remote areas such as under windows, around other fencing or walls, remote property lines, etc., as a deterrent to loitering, trespassing and to deny any concealed staging and ambush opportunity for potential more serious criminal activity such as burglary, theft, robbery, sexual crimes, etc. Initials

RESPONSE: The area on the west is now a clear pathway that will be well lit and have surveillance cameras. Shrubs are provided along the exterior of the building.

3. CPTED Lighting Standards Initials

- a. Must include a comprehensive detailed description in Narrative Plan of how CPTED lighting standards will be addressed at this specific site. Initials

RESPONSE: A narrative is provided on the CPTED plan.

- b. Lighting must comply with the Illuminating Engineering Society of North America "IESNA" G-1-2016 "Guide for Security Lighting for People, Property, and Critical Infrastructure." Initials

RESPONSE: Acknowledged. Lighting conforms to the IESNA standards.

- c. All Structures: Install vandal proof/ resistant motion-sensor security alert lights over all exterior doors and overhangs including main, garage, storage doors, storage sheds (if any), etc. Initials

RESPONSE: Acknowledged. Labels and notes have been added to the CPTED plan.

- d. Security motion sensors are very effective in capturing an intrusion and creating the perception by the intruder of being discovered, therefore these should be utilized in strategically targeted areas after careful consideration, especially any building design feature area that has an overhang that would attract loiters and trespassers who use

DRC

PZ20-12000027

8/18/2021

these areas for concealment, ambush, sleeping, urinating, or more serious crimes such as burglary, robbery, sexual batter, etc. Initials

RESPONSE: Motion sensors and security lights are provided at several locations on the CPTED plan.

- e. Security lighting should usually be primarily concentrated at gateways, doorways & windows; it should not over-illuminate or create shadows. Initials

RESPONSE: Please refer to the CPTED and photometric plan for reference.

- f. To enhance security, use carefully focused bright soft lights with shielded fixtures to eliminate glare and undesirable light pollution trespass. Initials

RESPONSE: Please refer to the CPTED and photometric plan for reference.

- g. Adequate soft lighting is preferable to spotlights so as not to 'blind' desirable users and make them prone to surprise hazards such as an ambush. With soft bright lighting the field of vision is greatly extended. Initials

RESPONSE: Acknowledged.

- h. Design out any potential landscaping and lighting conflicts in order to avoid existing or future obstructions to natural or mechanical lighting and surveillance. Initials

RESPONSE: Landscaping and lighting locations are provided on the CPTED plan. Landscaping to be maintained to prevent obstruction of lighting and surveillance.

- i. Ensure all lighting (and cameras) are strategically placed so they will not be obstructed by the growth of existing, or installation of future landscaping. Initials

RESPONSE: Landscaping and lighting locations are provided on the CPTED plan. Landscaping to be maintained to prevent obstruction of lighting and surveillance.

- j. Ensure lighting placement will enhance rather than conflict with camera placement. Avoid placing a light that would concentrate light directly into a camera lens thereby causing interference in operational efficiency. Initials

RESPONSE: Lighting placement shown on the CPTED plan does not impede the camera placement.

- 4. Doors, Windows, Overhangs, Fences, Etc. - Security Strengthening, Natural Surveillance and Access Control Initials

- a. Install either reinforced security see through glass hurricane doors, a see-through reinforced security window on a solid door, an audible/ video intercom pager, or at the minimum a 180 degree wide angle door viewer (peephole) on all solid exterior doors including garage, service doors, etc., to provide opportunity to monitor and surveil exterior and also to avoid being ambushed upon exiting. This also provides an opportunity

DRC

PZ20-12000027

8/18/2021

to visually identify and screen visitors such as in the event of an attempted criminal ruse entry, etc. Initials

RESPONSE: Glass windows and doors provided.

- b. Any existing or future fencing anywhere on the site should be CPTED oriented such as metal railing bars with 'see-through' spacing to maintain critical Natural Surveillance. Initials

RESPONSE: Existing chainlink fence and PVC fences to remain.

- c. Fences should limit or not have easily accessible horizontal bars that could be used for climbing and breaching any security fencing. Use narrow spacing between vertical bars to prevent footholds. Initials

RESPONSE: Existing chainlink fence and PVC fences to remain.

- d. Do not block the Natural Surveillance benefit of 'see-through' fencing by placing high obstructive objects, landscaping hedges or groundcover placed on either side of it. Any landscaping in front of fencing should be low ground cover with a maximum height of 2' to 2.5' feet, preferably use harsh Territorial Reinforcement type landscaping to strengthen the fence perimeter Access Control barrier. Initials

RESPONSE: Please refer to the CPTED plan for the proposed landscape locations.

- e. All exterior doors must have non-removable door hinge pins, and have the capacity for electronic door position switches in order to signal the security system that a door, which should not have been opened, has been opened and breached. Security will then investigate and/ or address any emergency accordingly. Initials

RESPONSE: Acknowledged.

- f. Include anti-pry robust security bar device on any ground or second level sliding glass doors (if any). Initials

RESPONSE: Anti-pry security bar to be provided on plans at time of permitting.

- 6. Dumpster & Enclosure (if any): CPTED, Natural Surveillance and Security Strengthening Initials

- a. To deter loitering by trespassers, illegal dumping and a concealment/ ambush point for criminals, dumpster enclosures that also have a pedestrian access entry passageway in addition to swing gates must include all of the following on both the swing and pedestrian gates: Initials

RESPONSE: No dumpster enclosure proposed. Trash rooms provided.

- b. A robust locking mechanism such as a throw bolt with a robust shielded padlock for example rather than only a vulnerable chain and padlock. Initials

RESPONSE: Trash rooms to be locked and accessible with key card.

- c. Bottom gate clearance must be 8" above the ground for viewing underneath. Initials

DRC

PZ20-12000027

8/18/2021

RESPONSE: No dumpster enclosure gate proposed.

- d. If there is a pedestrian passageway into the dumpster enclosure it must have the lockable gate. Initials

RESPONSE: No dumpster enclosure gate proposed. Trash rooms provided.

- e. Dumpster area must have a vandal resistant/ proof motion-sensor security light to illuminate the area when in use between sunset and sunrise. Initials

RESPONSE: Security motion sensor lights to be provided in the vicinity of the trash rooms.

- f. Dumpster areas must be secured with Access Control and video surveillance. Initials

RESPONSE: Video surveillance to be provided in the vicinity of the trash rooms.

8. Parking Garage & Lot, and Adjacent Access Perimeters: Initials

- a. Parking garages and lots have one of the highest crime rates therefore the following facts must be thoroughly acknowledged and addressed: Initials

RESPONSE: Acknowledged.

- b. Explain how this development will securely operate the parking garage &/ or lot Access Control systems to avoid allowing non-legitimate unauthorized users and dangerous trespassers from breaching inside private property to burglarize, steal cars, commit robberies, sexual assaults & batteries, etc. Initials

RESPONSE: There is a proposed gate with key card access on the bottom floor prior to entering the ramp leading to the above floors.

- c. Vehicles have been burglarized in parking lots leading to significant property loss and the theft of personal identification which has resulted in identity theft fraud, therefore no security surveillance camera coverage gaps can exist (see Electronic Surveillance Section). Initials

RESPONSE: Security camera locations provided on the CPTED plan.

- d. Violent Robbery incidents, primarily in parking lots, have resulted in serious personal injuries and death to customers and employees, therefore no security surveillance camera coverage gaps can exist. Initials

RESPONSE: Security camera locations provided on the CPTED plan.

- e. Ensure comprehensive parking lot area surveillance camera coverage/ capture. Show overlapping sight "cones". Initials

RESPONSE: Security camera locations provided on the CPTED plan.

DRC

PZ20-12000027

8/18/2021

- f. (Only if applicable such as with a garage) An Access Control vehicular gate entrance into the parking garage will deter and help prevent trespass opportunities. These entrances must be under video surveillance. Initials

RESPONSE: There is a proposed gate with key card access on the bottom floor prior to entering the ramp leading to the above floors.

- g. (Only if applicable such as with a garage) In order to prevent unauthorized access trespassing, install a robust security roll down gates that can be operated in times of need to close and secure the garage, such as during a hurricane or other emergency including a serious or life-threatening criminal situation. Initials

RESPONSE: A roll down gate will be considered and coordinated with the developer.

- h. (Multi-residential or commercial office only) Parking spaces should be clearly and individually marked and assigned for owners/ authorized guests use only. (In the case of a retail, restaurant or like business this is optional) Initials

RESPONSE: Parking spaces are shown on the TMS-1 plan.

- i. (Multi-residential or commercial only) Post signage in parking areas forbidding vehicles other than owner's/ authorized guests to park and loiter in private parking lot. Initials

RESPONSE: Signage will be provided in the parking garage per the CPTED plan.

- j. (Multi-residential or commercial only) Post towing sign and enforce tow away policy consistently concerning illegally parked or abandoned vehicles. Initials

RESPONSE: Signage will be provided in the parking garage per the CPTED plan.

11. Electronic Surveillance - Security Strengthening Initials

- a. Required to meet § 115.26 - City of Pompano Beach BUSINESS SECURITY CODE: "... use security cameras to protect employees and the consumer public from robbery, burglary and other violent crimes." Initials

RESPONSE: Security camera locations provided on the CPTED plan.

- b. Ensure electronic surveillance cameras and monitors are strategically located for maximum active and passive observation. Show sight "cones" indicating comprehensive coverage. Initials

RESPONSE: Security camera locations provided on the CPTED plan.

- c. Ensure all cameras are strategically placed so they will not be obstructed by the growth of existing or installation of future landscaping. Initials

RESPONSE: Security camera and landscaping locations provided on the CPTED plan.

- d. Ensure lighting placement will enhance rather than conflict with camera placement. Avoid placing a light that would concentrate light directly into a camera lens thereby causing interference in operational efficiency. Initials

DRC

PZ20-12000027

8/18/2021

RESPONSE: Security camera and lighting locations provided on the CPTED plan.

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

RESPONSE: Security camera locations provided on the CPTED plan.

- f. Any potentially vulnerable areas that cannot be observed through Natural Surveillance must be covered by electronic surveillance monitoring. Initials

RESPONSE: Security camera and landscaping locations provided on the CPTED plan.

- g. Ensure video surveillance at all exterior building entrances. Include an audible/ video intercom and call system. Initials

RESPONSE: Security camera and landscaping locations provided on the CPTED plan. Audio/video intercom system to be provided in permit set.

- h. Install motion activated security cameras on the perimeter boundaries, and the parking areas, and activity areas such as exterior amenity areas. Initials

RESPONSE: Motion activated security cameras will be provided in all parking areas and exterior areas of the building.

- i. Install video surveillance along the exterior of the property perimeter sidewalks and streets to deter criminal activities such as burglary, auto-theft, robbery, sexual assault & battery, etc. Initials

RESPONSE: Security camera locations provided on the CPTED plan.

- j. Install video surveillance of all commercial and retail businesses including all outdoor restaurants, outdoor seating, etc. Initials

RESPONSE: Security camera locations provided on the CPTED plan.

- k. Install video surveillance of any rooftop areas, etc., to deter/ prevent burglaries. Initials

RESPONSE: Rooftop surveillance locations to be provided on permit plans.

LANDSCAPE REVIEW

Plan Reviewer: Wade Collum (wade.collum@copbfl.com)

Status: Review Complete Resubmittal Required

1. Provide evidence and note on plans and in narrative that all overhead utilities will be buried for this project as per 155.5509. The position that this will not happen is not approvable and needs to be re- addressed.

DRC

PZ20-12000027

8/18/2021

RESPONSE: As discussed during the previous DRC process, the existing lower tier overhead wires will be relocated underground. The existing top tier wires are to remain. A note has been added to sheet WSU-1.

2. Clarify position on large adjoin ficus tree previously slated for removal and mitigation. This will require an agreement with adjacent property owner and approval by DSD

RESPONSE: An agreement is in progress with neighboring owner.

3. Correct disposition table to include palm DBH and correct disposition of trees located off site to be shown as preserved, NOT, removed on the tree disposition / tree survey.

RESPONSE: Corrected. See Sheet L-1.

4. Provide the dollar value and DBH of trees removed vs. the dollar value and caliper of trees replaced. Correct the mitigation table. No DBH calculation was seen for non specimen trees.

RESPONSE: Provided. See Sheet L-1.

5. Pervious area diagram does not appear accurate and does not captures front planters OUTSDIE of ROW.

RESPONSE: The pervious area diagram demonstrates compliance with the minimum required pervious area.

6. Correct data table showing how the site is meeting the requirements of 155.5203. C Minimum Site Development Landscaping as the quantities appear off. Is there a table that captures all tree and palms and heights including the rooftop planters?

RESPONSE: Data table has been corrected (see Sheet L-3). The 'Overall Planting Schedule' is on Sheet L-3C.

7. 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: Tree sizes have been adjusted to comply.

8. Separate street tree count from site tree count.

RESPONSE: Street trees are in a separate subcategory within the plan lists on Sheet L-3 and L-3C.

9. 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 on both sides of drive aisle.

RESPONSE: Landscaping provided to the greatest extent possible, taking into consideration pedestrian access, mechanical equipment and overhead balconies.

10. 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. Lagerstroemias should be swapped out for large upright canopy trees to provide an overall sense of scale for the building.

DRC

PZ20-12000027

8/18/2021

RESPONSE: Overhead powerlines are to remain per discussions with FPL. Landscape areas have been provided between VUA and abutting building.

11. 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: Details have been provided and updated. See Sheets L-4 and L-4A.

12. New comments below based on additional plans

RESPONSE: Acknowledged. Thank you.

13. Provide a separate color-coded graphic sheet highlighting the area of suspended pavement and provide the silva cells specs and details on this sheet.

RESPONSE: See Sheet L-4A.

14. Show silva cell install areas on the civil sheets and cross reference the landscape plans and spec sheet.

RESPONSE: See Sheet L-4A.

15. Trees on the east side shall be large canopy trees or large palms to create a sense of scale to the project.

RESPONSE: Additional Silver Buttonwood Trees and Fishtail Palms have been added to the east side.

16. There seems to be available pervious space for tall, staggered palms to be installed to provide a sense of scale as it relates to the pedestrian realm.

RESPONSE: Additional palms have been added to the SE corner of the building.

17. There appears to be available planting space along the east side for trees/palms.

RESPONSE: Additional Silver Buttonwood Trees and Fishtail Palms have been added to the east side.

18. There appears to be available planting space along the south side for larger trees/palms in the sodded area. Please address.

RESPONSE: South side has been redesigned to add additional large oaks along the new pedestrian promenade.

19. One Level 5 landscape plan appears to be mislabeled and is the ground plan, please clarify.

RESPONSE: Plans are labeled correctly.

20. Roof tops trees and palms cannot be used to qualify minima required site trees.

RESPONSE: Acknowledged. They are not counted towards meeting site requirements.

DRC

PZ20-12000027

8/18/2021

21. Proposed rain garden will not be supported in this area due to makeup and maintenance required to keep it as such.

RESPONSE: Rain Gardens have been eliminated.

22. Adjust street tree Lagerstroemias to be either Natchez or Muskogee.

RESPONSE: All street trees to be Muskogee Crape Myrtles.

ZONING

Plan Reviewer: Jae Eun Kim (jaeeun.kim@copbfl.com) Status: Review Complete Resubmittal Required

TO-EOD/Sub Areas: Core Sub-Area

MM-090 Mixed-Use: max 90 unit per ac, non-residential use on first floor abutting Atlantic blvd Max 80 ft for mixed use and residential use.

Please be advised that a Park Impact Fee will be applied when the project is in for a permit.

RESPONSE: Acknowledged. Thank you.

1. RE: Density Bonus Points claimed for the project
- A). It can't be claimed for double points for one item. Parking Structure with Green gets 4 points, not 2 and 4 points.
- RESPONSE: We are no longer requesting additional density. As such, this comment is no longer applicable.**
- B). The proposed Herb or Vegetable Garden does not comply with code requirements, "At least one-fourth acre on the site consists of an edible herb or vegetable garden".
- RESPONSE: We are no longer requesting additional density. As such, this comment is no longer applicable.**
- C). Sustainable Site Certificate must be presented prior to placement for PZB meeting because it affects the density measured for the project.
- RESPONSE: We are no longer requesting additional density. As such, this comment is no longer applicable.**
- D). The illustration of Rain Garden does not comply with code requirements. Conclusively staff does not see strong evidence that the project achieves the required sustainability points in accordance with TABLE 155.5802: Sustainable Development Options and Points, which is used to gain additional residential density. This project must seek for alternatives in order for staff to grant a density bonus prior to placement for the PZB meeting.
- RESPONSE: We are no longer requesting additional density. As such, this comment is no longer applicable.**

DRC

PZ20-12000027

8/18/2021

2. Provide at least 10 % pervious areas on sheet 017 A-15. Please do not include the areas outside of the property, pedestrian promenade, and 8 ft pathway. Pervious areas, required at least 10% of the total site areas, must comply with the definition in Section 155.9401. F, Pervious Area: Pervious surfaces are covered by living plant material that allows precipitation to infiltrate directly into the ground.

RESPONSE: Acknowledged. The pervious areas have been corrected as noted with the minimum 10% requirement being met.

3. Remove balconies projecting into the recorded Driveway Easement.

RESPONSE: Balconies have been removed from projecting into the easement.

4. Provide a cross section illustrating from the building to the ROW centerline and add call-outs and dimensions on sheet 005 A-3. It shall be in accordance with the street improvement as approved by the City Engineer.

RESPONSE: Cross section has been provided on sheets 011 and 011.1 with ROW centerline, callouts and dimensions.

5. Affordable Housing: the project shall comply with such requirements, as defined in Section 155.3709.K. 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. Prior to placement for the PZB meeting, the applicant shall determine how this requirement will be in compliance.

RESPONSE: Acknowledged. The applicant will comply with either an in lieu payment or set aside of units.

6. 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. Or obtain relief of code prior to placement for the PZB meeting.

RESPONSE: The maximum horizontal dimension for the proposed building does not exceed 300 feet along any façade. An open air access court is provided at the northeast corner of the building which breaks the plane and ensures that the building façade is less than 300 feet from all sides.

7. Residential Gross Area is 339,103 sq ft and therefore 340 parking spaces shall be provided. Revise plans and Zoning Data to provide the required parking spaces. Per Section 155.3709.I. 6, Additional EOD Standards, Multifamily dwellings shall provide a minimum of one off-street parking space per unit or one off-street parking space per 1,000 square feet of gross floor area or fraction thereof, whichever is greater.

RESPONSE: Total Gross Square feet of residential areas, including internal public corridors, stairs, elevators, but excluding terraces and balconies is 206,664 GSF. Project provides 260 residential parking spaces.

8. Revise the building height to be 80 ft. The proposed development must be limited to 80 ft ht. Building heights shall be measured from the average finished grade to the roof deck (§155.9401.

DRC

PZ20-12000027

8/18/2021

G, Height). If pool deck is enclosed and is occupied, it is subject to maximum building height requirements. If exceeds 80 ft in ht, the project shall be revised to be the Tower Building Type.

RESPONSE: Building height is limited to 80ft.

9. A major portion of the building has 9 stories. A building higher than 8 stories shall be developed. If the project choose to conform with BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAM, the building shall be redesigned as follows:

- A. Tower Floorplates Standard: Average 20,000 sqft for a tower and 32,500 sqft maximum permitted for a floorplate.

RESPONSE: Building no longer contains a portion with 9 stories. Entire building is now 8 stories.

- B. Tower Separation: If two or more towers are provided to comply with a tower size limit, the min allowable horizontal distance between two or more towers on the development shall be 60 ft.

RESPONSE: Two towers are not proposed. As such, this comment is no longer applicable.

- C. Tower Stepback: The min stepback for the tower, above 5th floor, shall be 10 ft from the podium along interior and rear property lines.

RESPONSE: Acknowledged and compliant.

10. The building shall comply with code requirements (155.3501. O. 2, Building Configuration and Design) below. Revise the project or obtain code relief.

RESPONSE: Acknowledged and revised to ensure compliance.

2. Building Configuration and Design

- a. Building Length. Unless further restricted on the Building Typology and Placement Regulating Diagrams, the maximum horizontal dimension of a building shall be 300 feet at any level. For buildings within the FAA height restricted zones (as demonstrated on the Building Heights Regulating Plan of the Overlay District) only, the maximum horizontal dimension of a building may exceed 300-feet in length at any level and the following shall apply:

RESPONSE: The maximum horizontal dimension for the proposed building does not exceed 300 feet along any façade. On open air access court is provided at the northeast corner of the building which breaks the plane and ensures that the building façade is less than 300 feet from all sides.

- i. A centrally located forecourt shall be provided on every I that exceeds 300 feet in length, with a minimum width and depth of 30 feet,

RESPONSE: The maximum horizontal dimension for the proposed building does not exceed 300 feet along any façade. As such, this requirement does not apply.

DRC

PZ20-12000027

8/18/2021

- ii. The forecourt shall be open to the sky, provide building access and a pedestrian connection to the existing city street grid; and

RESPONSE: The maximum horizontal dimension for the proposed building does not exceed 300 feet along any façade. As such, this requirement does not apply.

- iii. If the forecourt is publicly accessible, a minimum of 50% active use shall be provided for the portion of the ground floor fronting the forecourt.

RESPONSE: The maximum horizontal dimension for the proposed building does not exceed 300 feet along any façade. As such, this requirement does not apply.

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.

- ii. Townhouses shall provide a minimum of 15 feet between building groups. For liner, flex, and courtyard building types only, when a building is constructed at the maximum building length, a minimum 15-foot separation shall be required between the subject building and any adjacent building within the same lot or the adjacent lots. The separation shall be 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% of active use shall be provided for the portion of the ground floor fronting the pedestrian passage or open space.

RESPONSE: Acknowledged.

11. Revise Zoning Data, Ground Level Plan on sheet A-3, and elevation plans.

RESPONSE: Revisions have been made.

- a. 240 units are calculated for DEVELOPMENT DATA. Correct it.

RESPONSE: Project contains 204 units, not 240.

- b. Revise the diagram of Unit Matrix and Data Table to remove 9th floor. Or obtain relief.

RESPONSE: Building no longer has 9 stories.

- c. Relocate all landscape islands along the building frontage not to encroach into the street, sheet A-3.

DRC

PZ20-12000027

8/18/2021

RESPONSE: Acknowledged.

- d. Add a note on elevations that the frontage consists of 82% transparent storefront glass, 5% open thru-way and 10% artistic street mural.

RESPONSE: Note has been added.

- 12. A width of Driveway Easement is 1'-8" on the survey and there are other dimensions wrong. Please have the surveyor review dimensions on the survey and correct them accordingly.

RESPONSE: We have re-scaled the survey to the correct scale, and the easement is 20'-0".

- 13. Pending for a traffic analysis, per 155.3709. J, Traffic Analysis Requirements. It shall be resolved prior to placement for a PZB meeting. Pending for approval.

RESPONSE: Acknowledged.

- 14. Provide a legible note on the site and landscape plans that the lower second tier communication lines are to be undergrounded as stated on the response letter. 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: Note has been added.

- 15. A maximum illumination at property lines is 3.0 foot-candles. Revise the photometric plan and provide details of the proposed exterior lights, per Section 155.3501. M, TO District Exterior Lighting Standards and Part 4 (Exterior Lighting) of Article 5: Development Standards.

RESPONSE: Photometric plan is included in submittal. Lighting shall comply with all requirements.

- a. No cobra head lights are permitted;

RESPONSE: Acknowledged.

- b. lighting shall be weather and vandal resistant (i.e. resistant to graffiti, shattering, etc.); and

RESPONSE: Acknowledged and will comply.

- c. All exterior lighting is encouraged to be solar powered.

RESPONSE: Acknowledged.

- 16. Provide a note on the Zoning Data sheet and the Site Plan that the proposed retail or commercial uses shall be in accordance with TABLE 155.3709.E.2: Principal Uses Regulating Table and comply with the parking requirements.

RESPONSE: Note has been added.

- 17. The proposed development shall obtain approval of 155.2416. Master Sign Program from AAC.

RESPONSE: Acknowledged.

DRC

PZ20-12000027

8/18/2021

18. Prior to zoning compliance 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: Acknowledged.

19. Note that the CPTED plan approved by the Broward Sheriff's Office shall be provided for Zoning Compliance Permit approval.

RESPONSE: Acknowledged.

154.80 PROVISION OF REQUIRED AFFORDABLE HOUSING.

- (A) In lieu of providing affordable housing units on-site or off-site as required by regulations within Chapter 154
<https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanobeach_fl/0-0-0-87150> and Chapter 155
<https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanobeach_fl/0-0-0-87487> (Zoning) or pursuant to a land use plan amendment, a property owner may elect to contribute a fee in lieu of to be deposited into the city's Local Affordable Housing Trust Fund. If this in lieu of option is taken for the allocation of flex or redevelopment units, the in lieu of fee, \$2,333 per unit, will apply to every flex and redevelopment unit allocated to the project that is not classified as affordable in accordance with the requirements in § 154.61

<https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanobeach_fl/0-0-0-87317>(E).
- (B) For projects within an area that is subject to affordable housing requirements established through a Broward County Land Use Plan Amendment process, the in lieu of fee to be paid to the city shall be \$2,333 per market-rate unit. If affordable units will be provided, they will meet the definition of affordable housing provided in § 154.61
<https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanobeach_fl/0-0-0-87317> and deed restricted to the proposed range of affordability for a 15 year period.
- (C) The fee shall be paid to the city at the time of building permit.
- (D) The fee shall be reviewed a minimum of once every three years. The fee may be adjusted by the City Commission to reflect updated housing sales costs, development costs, land values and other considerations.

RESPONSE: Acknowledged.

DRC

PZ20-12000027

8/18/2021