

Staff Report

File #: LN-60

DEVELOPMENT REVIEW COMMITTEE

Meeting Date: AUGUST 18, 2021

400 EAST ATLANTIC BOULEVARD MAJOR SITE PLAN

Request: Major Site Plan & Major Building Design
P&Z# 20-12000027
Owner: Atlantic Estates, LLC
Project Location: 400 E Atlantic Blvd
Folio Number: 494201010010 & 494201000311
Land Use Designation: ETOC (East Transit Oriented Corridor)
Zoning District: TO/EOD (Transit Oriented East Overlay District)
Commission District: 3
Agent: Matthew Scott (954-405-3350)
Project Planner: Jae Eun Kim (954-545-7778) / JaeEun.Kim@copbfl.com

Summary:

The applicant is requesting MAJOR SITE PLAN and MAJOR BUILDING DESIGN approval in order to construct a new mixed-use development of a 2,723 sq.ft. commercial use and 204 units. This proposed development will require a total demolition of the property.

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.

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

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.

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

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.
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.
3. At time of permitting submit an Engineering permit application for the proposed off-site water and sewer, onsite and offsite paving and curbing.
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.
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.
6. 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.
7. 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 under departments /engineering.
8. 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

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

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

**** 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.****

FIRE DEPARTMENT

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

Status: Review Complete Resubmittal Required

(ok) 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"

() 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. 2-1/2inch fire hose stations would be located along docks as per NFPA 303 Fire Protection Standards for Marinas and Boatyards.

() 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).

() 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.

DRC

() 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?

CRA

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

Status: Review Complete Pending Development Order

Land use for this parcel is ETOC which allows mixed use type development with commercial use on the ground floor with residential units on upper floors commercial space.

155.5509. UTILITY LINES LOCATION

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

Waiving this requirement cannot be based on feasibility.

UTILITIES

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

Status: Review Complete Pending Development Order

1. Please note that additional comments may be forth coming contingent upon future submittals to the PAM and/or DRC review process.
2. Please procure Broward County EPD Surface Water Mgmt. approval or exemption for the proposed site development. Applicable during official e-plan submittal.
3. Please exercise best management practices with regard to protection of existing and proposed storm water systems.

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: 07/29/2021

DRC Meeting: 08/04/2021

REVIEW COMPLETE; RESUBMITTAL REQUIRED

1. Height clearance of 22 feet is required for immediate garbage service area.
2. Provide a new section showing the trash room service area with the revised height clearance.
3. Applicant is urged to meet with City of Pompano Beach Solid Waste Services Department staff prior to resubmitting plans for DRC.

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

NOTE: As stated in the Pompano Beach Code of Ordinances, Chapter 96, including Section 96.12(D)(1), all construction and demolition debris removal is the responsibility of the owner. All solid waste generated within the geographic boundaries of Pompano Beach shall be collected by the franchise collector (Waste Management at the time of this writing) and disposed of as directed by the city disposal agreement. All materials shall be generated from the property on which the materials are placed for removal. Information regarding container size and hauling costs may be found in Chapter 96, Section 96.13.

NOTE: Additional comments may be necessary based upon revisions, additional plans and/or documents. Contact Beth Dubow at 954-545-7047 or beth.dubow@copbfl.com should you have any questions or concerns regarding this review.

BUILDING DIVISION

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.

DRC

PZ20-12000027

8/18/2021

Buildings shall comply with all local, state and federal codes in effect at time of application, including FEMA Floodplain, NPDES and HVHZ regulations.

FBC_BCA 105.2.3 Public service agencies/other approvals. The building official shall require that the laws, rules and regulations of any other regulatory AHJ, and where such laws, rules and regulations are applicable and are known to the building official, shall be satisfied before a permit shall be issued. The building official shall require such evidence, as in his or her opinion is reasonable, to show such other approvals.

City Ordinance 53.16(A)(1) Construction sites and construction activities. construction sites and operations shall be required to maintain during and after all construction, development excavation or alteration operations, structural and non-structural best management practices with the intent to reduce pollutants and sediment in stormwater runoff.

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

FBC 3306.1 Pedestrians shall be protected during construction, remodeling and demolition activities as required by this Chapter and Table 3306.1. Signs shall be provided to direct pedestrian traffic.

City Ordinance 152.25(A) Site plans and construction documents, Information for development in areas with base flood elevations. The site plan or construction documents for any development subject to the requirements of the floodplain regulations shall be drawn to scale and shall include, as applicable to the proposed development all sections from: City Ordinance 152.25 (A)(1) thru City Ordinance 152.25 (A)(7). Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development, etc. 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.

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.

FBC A201.1 This code establishes standards for accessibility to places of public accommodation and commercial facilities by individuals with disabilities. All new or altered public buildings and facilities, private buildings and facilities, places of public accommodation and commercial facilities subject to this code shall comply with 2017 FBC Accessibility.

FBC 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.

FBC A206.2.1 Site arrival points. At least one accessible route shall be provided within the site from accessible

parking spaces complying with FBC A502 and accessible passenger loading zones complying with FBC A209; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve.

FBC_BCA 107.3.4.0.6 Compliance with the specific minimum requirements of this code shall not be in itself deemed sufficient to assure that a building or structure complies with all of the requirements of this code. it is the responsibility of the architect and/or engineer of record for the building, structure or facility to determine through rational analysis what design requirements are necessary to comply with 2017 FBC.

1. FBC_BCA 107.1 As per the building official, separate building applications will be required for erosion control, site work, temporary fences, monumental signage and miscellaneous site structures.
2. FBC_BCA 105.9 Asbestos. The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of section 469.003 Florida Statutes and to notify the department of environmental protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law. Contractor will be required to submit Broward County asbestos program certificate of submittal indicating that the statement of responsibility has been submitted.
3. FBC [F] 903.2 The enforcing agency will require that all provisions for an approved automatic sprinkler systems in new buildings and structures be provided in the locations described in sections 903.2.1 through 903.2.12 if applicable.
4. FBC 701.1 The enforcing agency will require that the provisions of this chapter, governing the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings, comply with this section of the code.
5. FBC 703.2 Fire-resistance ratings. Where materials, systems or devices that have not been tested as part of a fire-resistance-rated assembly are incorporated into the building element, component or assembly, sufficient data shall be made available to the building official to show that the required fire-resistance rating is not reduced. Materials and methods of construction used to protect joints and penetrations in fire-resistance-rated building elements, components or assemblies shall not reduce the required fire-resistance rating.
6. FBC 1003.1 The enforcing agency will require that all general requirements specified in sections 1003 through 1013, applicable to all three elements of the means of egress system, in addition to those specific requirements for the exit access, the exit and the exit discharge, comply with this section of the code.
7. FBC 1017.2 Limitations. Exit access travel distance shall not exceed the values given in Table 1017.2.
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.
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.

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.

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.

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).

13. FBC_BCA 110.10.1 The enforcing agency will require a special inspector for various components of the building as determined by the building official. Building dept. will require special inspector form be completed and submitted for approval.

14. FBC_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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

BSO

Plan Reviewer: Scott Longo (scott_longo@sheriff.org)

Status: Review Complete Pending Development Order

Disclaimer:

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

This 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, or liabilities that might occur without any review.

CPTED Landscaping Standards

a. Ensure to design out all landscaping and lighting conflicts to avoid existing or future obstructions to

Natural or Electronic Surveillance.

- b. Ensure to design out existing or potential concealment/ ambush points to deter/ prevent criminal activity.
- c. Maintain 2' to 2.5' foot maximum height for all hedges, bushes, low plants and ground cover.
- d. Maintain an 8' foot clear trunk without any obstructive limbs or foliage hanging down for canopy trees and tall plants that obstruct Natural &/ or Electronic Surveillance.
- e. Note that young immature trees with 6" inch or less diameter trunks are excluded from this condition per code.

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

- 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 to visually identify and screen visitors in the event of an attempted criminal ruse entry.
- b. 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.
- c. Ensure parking lot and interior area surveillance camera coverage/ capture
- d. Show overlapping sight "cones".

Miscellaneous: CPTED & Security Strengthening

- a. Ensure all exterior electrical power outlets have a lock or power secure internal cutoff switch to deny unauthorized use by vagrants, etc. who loiter and trespass to charge their mobile phones, etc.
- b. Ensure all exterior water outlet spigots have a secure locking cap to deny unauthorized use by vagrants, etc. who loiter and trespass to wash themselves and their clothes, and who leave soiled clothing and lots of litter behind.

LANDSCAPE REVIEW

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

Status: Review Complete Pending Development Order

- 1. Clarify position on large adjoining Ficus tree previously slated for removal and mitigation. This will

- require an agreement with adjacent property owner and approval by DSD
2. Clarify the mitigation table on DBH calculations for mitigation balances and approach. Required trees cannot be applied towards mitigation. Rooftop trees/palms may be applied.
 3. Provide a graphic scale on pervious area diagram so staff can measure pervious areas as there seems to be some difference with the landscape plan.
 4. There is unaccounted for space still required on the NE corner. 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.
 5. 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.
 6. 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 so that the project can meet the requirement
 7. Provide a separate color coded graphic sheet TO SCALE, highlighting the area of suspended pavement and provide the silva cells specs and details on this sheet. 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.
 8. Show silva cell install areas on the civil sheets and cross reference the landscape plans and spec sheet.
 9. Trees on the east side shall be large canopy trees or large palms to create a sense of scale to the project.
 10. 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, in the front street side.
 11. There appears to be available planting space along the east side for trees/palms, street side.
 12. Provide a signed and notarized document and bond for the cost of burying OHW and securing the required 24' tall Oak trees when the project comes to fruition
 13. 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. What is the depth as shown in the detail?
 14. Provide more large / medium canopy trees to dilute the large amount of understory trees for the site
 15. Provide Maintenance agreement for the ongoing upkeep of proposed tree grates on site.
 16. Provide details specifying underground self-contained palm tree guying systems such as the Platypus for large species palms proposed in pedestrian access areas
 17. Please provide rooftop planter detail on how trees and palms are to be staked and or guyed in the

planter.

18. All tree work will require permitting by a registered Broward County Tree Trimmer.
19. Provide a comment response sheet as to specifically how comments have been addressed at time of resubmittal.
20. Additional comments may be rendered a time of resubmittal.
21. Utilities are proposed in the fraction of landscape area provided. Relocate backflows and utilities form the NE Corner.
22. Please change color renderings to reflect the area of non-trees and palms to match the plans.
23. On Sheet L.4, where are the Key letters on the plan to match the legend at the bottom.
24. Provide planter soil specifications.
25. Correct Planter guying detail to reflect platypus or eye bolt securing apparatus as what is shown will not meet wind load concerns on the roof.
26. Adjust planting details to only show sisal or other biodegradable material attached to trunk of tree. Currently nylon straps are shown
27. Provide evidence of availability for 16' tall Silver Buttons.
28. Provide Crape Myrtle relocate sizes on the plant list please.
29. Open space plan seems to conflict with landscape plan.
30. Additional comments may be rendered at time of resubmission.

ZONING

Plan Reviewer: Jae Eun Kim (jaeeun.kim@copbfl.com)

Status: Review Complete Pending Development Order

TO-EOD/Sub Areas: Core Sub-Area

MM-90 Mixed-Use: max 90 unit per AC, non-residential use on the 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.

1. 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.
2. Revise the building length, per Section 155.3501. O. 2. a. Building Length. The maximum horizontal dimension of a building shall be 100 feet at any level. Or obtain relief of code prior to placement for the

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

155.3501.O.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:

- i. A centrally located forecourt shall be provided on every facade that exceeds 300 feet in length, with a minimum width and depth of 30 feet,
 - ii. The forecourt shall be open to the sky, provide building access and a pedestrian connection to the existing city street grid; and
 - 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.
3. Add a note on elevations that the frontage consists of 82% transparent storefront glass, 5% open thru-way and 10% artistic street mural.
 4. 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.
 5. 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. No cobra head lights are permitted, and all exterior lighting is encouraged to be solar powered.
 6. 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.
 7. The proposed development shall obtain approval of 155.2416. Master Sign Program from AAC.
 8. 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.
 9. Note that the CPTED plan approved by the Broward Sheriff's Office shall be provided for Zoning Compliance Permit approval.

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>](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>](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>](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>](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.

DRC