

September 1, 2022

City of Pompano Beach  
Development Review Committee  
100 West Atlantic Blvd.  
Pompano Beach, FL 33060

Re: Comment Response Letter  
P&Z number: C2022051834  
Project Name: Festival Real Estate LLC  
Project Address: 2900 W Sample Rd  
Folio number: 484221070010

**PLANNING**

Daniel Keester  
daniel.keester@copbfl.com

1. Provide a copy of the recorded Plat Note Amendment (P&Z: 20-14000001) for the NVAL along Sample Rd, prior to building permit approval.

**Response: Acknowledged.**

2. Land use for this parcel is Commercial, and the City has sufficient capacity to accommodate the proposal.

**Response: Acknowledged.**

**ENGINEERING**

David McGirr  
david.mcgirr@copbfl.com

1. Submit / upload a copy of the (FDOT) Florida Department of Transportation driveway connection permit or exemption for the proposed driveway, roadway curb and gutter and sidewalk to be constructed within the road right-of-way of Sample Rd.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

DRC

2. Submit / upload a copy of the (FDOT) Florida Department of Transportation driveway drainage connection permit or exemption for the proposed driveway, roadway curb and gutter and sidewalk to be constructed within the road right-of-way of Sample rd.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

3. Submit / upload a copy of the (FDOT) Florida Department of Transportation utility construction permit or exemption for the proposed off-site potable water, reclaimed water and sewer main or lines to be constructed within the road right-of-way of Sample rd.

**Response: There is no utility work proposed in Sample Road.**

4. Submit / upload a copy of the Broward County Traffic Engineering Division permit or exemption for the proposed off-site pavement marking and traffic signage plan for NW 27 Ave.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

5. Submit / upload a copy of the Broward County Highway Construction and Engineering Division permit or exemption for the proposed street roadway improvements for NW 27 Ave.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

6. Submit / upload a copy of the (BCOES) Broward County Water and Waste Water Service Utility permit or exemption for the proposed utility work.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

7. Submit / upload the (BCEPMGD) Broward County Environmental Protection and Growth Management Division Surface Water Management permit or exemption for the proposed paving and drainage shown on the civil engineering drawings.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

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

**DRC**

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

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

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

9. 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.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

10. Submit / upload a copy of the (FDEP) Florida Department of Environmental Protection permit or written exemption from this agency for the proposed potable water main and service line connections shown on the civil engineering drawing.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

11. Submit / upload a copy the (BCEPGMD) Broward County Environmental Protection and Growth Management Division wastewater collection system license/permit or written exemption from this agency for the proposed construction of the gravity wastewater collection systems shown on the civil engineering plans.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

12. Submit / upload a copy the (FDEP) Florida Department of Environmental Protection permit or written exemption from this agency for the proposed construction of the gravity wastewater collection system shown on the civil engineering plans.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

13. Prior to the approval of the City Engineering Division, the City's Planning and Zoning Division must approve these plans.

**DRC**

**Response: Acknowledged.**

14. Prior to the approval of the City Engineering Division, the City's Utilities Division must approve these plans.

**Response: Acknowledged.**

**FIRE**

Jim Galloway

jim.galloway@copbfl.com

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

**Response: Acknowledged, flow test is attached.**

2. Provide Required Fire Flow Data for each proposed structure (this flow will either be the total flow required for a non-fire sprinklered building or the fire sprinkler/standpipe demands): 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 2018ed chapter 18). This information must be provided at DRC to evaluate current water supply conditions.

**Response: Acknowledged, please see attached letter.**

**BUILDING**

Todd Stricker

todd.stricker@copbfl.com

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

**DRC**

miscellaneous site structures.

**Response: Acknowledged, permit will be provided prior to building permit issuance.**

2. 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.**

3. 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.**

4. 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.**

5. 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.**

6. 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/exit and corridor limits, accessibility accommodations

DRC

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.

**Response: Acknowledged.**

7. 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.**

8. FBC\_BCA 107.3.5.2 The enforcing agency will require that all shop drawings, (i.e. components attached to building structure, joists, window walls, railings, awnings, ...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.**

9. 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.**

10. FBC\_BCA 107.3.4.0.8 All plans and/or specifications prepared by an architect or an engineer pursuant to the requirements of this code shall be hand signed, dated and sealed.

**Response: Acknowledged.**

11. 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.**

**DRC**

12. 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.**

13. 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.**

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.**

14. 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, project meets the minimum parking standards, please see Sheet C-6.0.**

15. 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: Not applicable.**

16. FBC A502.6 The enforcing agency will require parking space identification comply with

**DRC**

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.**

17. 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.**

18. 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.**

19. 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.**

20. 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.**

**DRC**

21. 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.**

**BSO**

Scott Longo

scott\_longo@sheriff.org

1. All twenty Gas pumps lanes need to have Electronic Surveillance (show sight cones).

**Response: All pumps have electronic surveillance, see attached updated PSP plan sheet.**

**UTILITIES**

Nathaniel Watson

nathaniel.watson@copbfl.com

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

**Response: Acknowledged.**

2. Please procure an approved Broward County EPD Surface Water Management permit or exemption for the proposed site and off-site work. Required during official e-plan submittal.

**Response: Acknowledged.**

3. Please exercise best management practices with regard to sedimentation and erosion control of any on and off-site storm systems.

**Response: Acknowledged.**

**DRC**

4. Broward County Water and Wastewater service area. Please coordinate with the Broward County for any water or sewer utility connections.

**Response: Acknowledged.**

**LANDSCAPE**

Wade Collum

wade.collum@copbfl.com

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

**Response: Acknowledged, please see attached landscape plans.**

2. Provide a landscape plan prepared and signed and sealed by a Florida Registered Landscape Architect in accordance with Code Section 155.5203 for the proposed RaceTrac.

**Response: Acknowledged, please see attached landscape plans.**

3. Provide a comment response sheet to the last round of DRC comments from Urban Forestry and how they were addressed.

**Response: Acknowledged, the last comment/response letter from the previously approved master site plan for the project are attached.**

4. Submit a Tree Appraisal prepared by an ISA Certified Arborist in accordance with Rule 14-40.030 of the Florida Administrative Code as amended, for all trees and palms that are specimen size , and DBH for caliper for all non-specimen trees, that assigns each existing tree a number; that specifies the common and botanical name for each existing tree; describes the overall size and caliper of each existing tree; evaluates the health condition of each existing tree; identifies the status of each existing tree (whether the tree is to be protected in place, be relocated, or be removed); and provides a dollar value for each existing tree included on the tree survey in accordance with Code Section 155.2411, and Part 5.

**Response: Acknowledged, please see attached landscape plans.**

**DRC**

5. Provide methodology for tree appraisal as all values appear to be low. All trees are to be appraised based on the Rule 14-40.030, Florida Administrative Code, provide worksheets for all the trees appraised.

**Response: These appraisals were previously approved last year under the former application number.**

6. Provide the dollar value for specimen trees and DBH of all non specimen trees removed vs. the dollar value and caliper of trees replaced.

**Response: Acknowledged, please see attached landscape plans.**

7. As per 155.5203.B.5.a thru e: Provide a scaled Irrigation Plan illustrating a rust free, automatic underground irrigation system installed in accordance with requirements of the Building Code, include a rain-sensing cutoff device, providing 100% coverage with 50% overlap, and reuse water wherever practicable and available for the proposed.

**Response: Acknowledged, please see attached irrigation plans.**

8. Bubblers will be provided for all new and relocated trees and palms.

**Response: Acknowledged, please see attached irrigation plans.**

9. Phase Plan is not approvable. All work associated with the proposed RaceTrac station must be completed at the same time as part of the project.

**Response: The phasing plan has been removed.**

10. Phase Plan does not allow for connectivity between Sample and NW 27th or access to the East side of the Flea Market complex.

**Response: The phasing plan has been removed.**

11. Required landscaping and previous agreements do not align with this proposal.

**Response: Acknowledged, please see attached landscape plans.**

**DRC**

12. Provide previously approved plans for the Flea Market Complex as part of resubmittal.

**Response: Acknowledged, please see attached landscape plans.**

13. Provide a data table showing how the site is meeting the requirements of 155.5203. C Minimum Site Development Landscaping.

**Response: Acknowledged, please see attached landscape plans.**

14. Provide VUA requirements as per 155.5203.D along perimeters.

**Response: Acknowledged, please see attached landscape plans.**

15. Provide an elevations sheet as the height of required trees and palms are contingent on the height of the building.

**Response: Acknowledged, please see attached landscape plans.**

16. Provide 10' perimeter landscaping strip requirements around entire property as per 155.5203.D. This is to be a clear measurement not to include vehicular overhang.

**Response: Acknowledged, please see attached landscape plans.**

17. Show how requirements from 155.5203.D.5 VUA Landscaping are being met. Provide a minimum of 16' of landscape areas between a vehicular use area and an abutting building. Provide what is required vs. what is going to be proposed as to a superior landscape design.

**Response: Acknowledged, please see attached landscape plans.**

18. Show how requirements as per 155.5203.E., Building Base Plantings are being met.

**Response: Acknowledged, please see attached landscape plans.**

19. As per 155.5401.C. remove light poles from required VUA areas, perimeter landscaping

strips, landscaped islands in parking bays, landscaped areas between parking bays, and landscaping between vehicular use areas and buildings.

**Response: Acknowledged, please see attached landscape plans.**

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

**Response: Acknowledged, please see attached landscape plans.**

21. Provide interior landscape requirements equal to 15% of the total vehicular use area as per 155.5203.D.4., provide this information in a data table format on the landscape plans.

**Response: Acknowledged, please see attached landscape plans.**

22. As per 155.5203.B.2.g.ii. a minimum area for planting a tree shall be 120 square feet, with a minimum dimension of eight feet.

**Response: Acknowledged, please see attached landscape plans.**

23. As per 155.5203.B.2.ii. Based on the height of the building half of all required canopy trees are to be 14 / 16' tall and palms to be 22' OA, please adjust.

**Response: Acknowledged, please see attached landscape plans.**

24. Provide Street Trees at 1:40' as per 155.5203.G.2.c.

**Response: Acknowledged, please see attached landscape plans.**

25. Provide soil specifications.

**Response: Acknowledged, please see attached landscape plans.**

26. Show on the plans and provide a detail including hedges in accordance with 155.5301.C

**Response: Acknowledged, please see attached landscape plans.**

27. As per 155.5203.B.5, provide an automatic underground irrigation system installed in accordance with requirements of the Building Code, include a rain-sensing cutoff device, be rust-free, and provide a minimum coverage of 100 percent with 50 percent overlap.

**Response: Acknowledged, please see attached irrigation plans.**

28. It is recommended to provide bubblers for all new tree installations until establishment.

**Response: Acknowledged, please see attached irrigation plans.**

29. Provide location of rain sensor.

**Response: Acknowledged, please see attached irrigation plans.**

30. Provide a note that irrigation will provide 100% coverage with 50% overlap.

**Response: Acknowledged, please see attached irrigation plans.**

31. Provide landscape notes and details sheet.

**Response: Acknowledged, please see attached landscape plans.**

32. As per 155.5203.D.4. VUA provide an 8' wide landscape area with a continuous hedge and 1 large canopy tree per 40' between abutting parking rows.

**Response: Acknowledged, please see attached landscape plans.**

33. Plant list includes trees that do not grow in this hardiness zone and seem more applicable to a northern climate, correct. Elaeagnus is on the FLEPPC Category II list, while some natives are noted as N/A, clarify and correct.

**Response: Acknowledged, please see attached landscape plans.**

**DRC**

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

**Response: Acknowledged, please see attached landscape plans.**

35. Provide a note on plan that a Pre Construction meeting with Urban Forestry is required before any plant material is installed on site.

**Response: Acknowledged, please see attached landscape plans.**

36. Provide a note that all road rock, concrete, asphalt and other non natural material be removed from all planting areas prior to landscape installation and be replaced with planting soil prior to landscape installation.

**Response: Acknowledged, please see attached landscape plans.**

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

**Response: Acknowledged.**

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

**Response: Acknowledged.**

## ZONING

Pamela Stanton

pamela.stanton@copbfl.com

1. Please provide written responses to all comments.

**Response: Acknowledged.**

2. The majority of the property was recently rezoned to I-1, with the exception of the northeast portion which remains B-1. The project narrative and the Site Data state that the entire site is

DRC

B-3.

**Response:** Please see attached revised narrative.

3. The Land Use was recently changed from Commercial to Industrial for the majority of the property. Site Data says all of the property is Commercial.

**Response:** Please see attached revised site data table on C-6.0.

4. The site calculations are incomplete. Provide the required and provided calculations for site requirements for the Festival Marketplace property as a whole. Provide breakdown for parking requirements for the marketplace and for the proposed Racetrac.

**Response:** Please see attached revised site data table on C-6.0.

5. The Sustainable Development narrative includes “Infill Development- The development is within infill development. (4 points).” However, the site is currently developed and therefore does not qualify as infill.

**Response:** As discussed in the DRC meeting, the project meets the infill development criteria. Please see attached sustainable development narrative.

6. The Sustainable Development narrative includes “Landscape and Tree Lined Street Median - Ingress and Egress lanes of non-service drives are separated by a landscape median of at least 5 feet wide with trees spaced 40’ apart (2 points).” However, the required median for this point option does not appear on the three driveways shown on the site plan.

**Response:** The referenced design feature has been removed for the revised sustainable development narrative, see attached.

7. Revise the phasing plan to include all site and perimeter landscaping and irrigation in Phase 1.

**Response:** The phasing plan has been removed, the project is a single phase.

8. Provide a landscape plan for the entire project area.

**DRC**

**Response: Acknowledged, please see attached landscape plans.**

9. Please label elevations north, south, east, west.

**Response:**

10. Provide illumination levels on the photometric plan for the vehicular use area at the south end of the Festival Marketplace site that is shown as included in the site plan application.

**Response: This parking area is existing.**

11. The CPTED plan (Public Safety Plan) legend includes surveillance camera view. However, none are shown on the plan.

**Response: Please see revised PSP plan.**

12. Clarify the purpose that the vehicular use area at the south end of the property is included in the site plan application, and the reason that the proposed driveway into the parking area is a one-way driveway in lieu of a two-way driveway.

**Response: Those proposed revisions to the circulation in that area was required by Broward County Traffic Engineering to improve safety at the existing entrance along NW 27<sup>th</sup> Road.**

### **ENVIRONMENTAL SERVICES**

Beth Dubow

beth.dubow@copbfl.com

1. Recycling collection is not required, but it is highly encouraged. Recycling collection service may be obtained from a recovered materials hauler.

**Response: Acknowledged.**

2. Owners of this commercial property are responsible for securing garbage collection service directly from Waste Management, Inc. (all of this writing) or Coastal Waste & Recycling

DRC

(starting October 1, 2022).

**Response: Acknowledged.**

3. 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.**

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

**Response: Acknowledged.**

5. Applications that require resubmission to the DRC have 45 days from the time of original DRC meeting in which to resubmit. Applications that fail to be resubmitted before the completion of these 45 days, or fail to receive a time extension from the Development Services Director, shall be considered withdrawn (§155.2304.B).

**Response: Acknowledged.**

Please feel free to contact me at [CCollins@urbndesigngroup.com](mailto:CCollins@urbndesigngroup.com) or 321-217-6247 should you have any comments or concerns.

Thank you,



**DRC**

PZ22-12000027

10/5/2022

DRC

PZ22-12000027

07/02/2025

Christopher Collins, P.E.  
President



696 N.E. 125<sup>th</sup> Street | North Miami, FL 33161

DRC

PZ22-12000027

10/5/2022