



## Staff Report

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**File #:** LN-62

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Development Review Committee  
Meeting Date: January 6, 2021

### THE NEW AUTO TOY STORE

**Request:** Minor Site Plan  
**P&Z#** 20-12000049  
**Owner:** JMPM Investment Co Ltd  
**Project Location:** 929 SW 8th St  
**Folio Number:** 494202030870, 494202030880  
**Land Use Designation:** I  
**Zoning District:** I-1  
**Commission District:** 5  
**Agent:** Paola A. West (954-529-9417)  
**Project Planner:** Lauren Gratzer (954-545-7792) / [Lauren.Gratzer@copbfl.com](mailto:Lauren.Gratzer@copbfl.com)

### Summary:

The Applicant is requesting MINOR SITE PLAN approval, in order to make minor site modifications to the landscaping and parking area. The business sells cars and intends to display the automobiles on-site.

**Staff Conditions:**

**PLANNING**

Plan Reviewer: Daniel Keester O'Mills | [daniel.keester@copbfl.com](mailto:daniel.keester@copbfl.com) <<mailto:daniel.keester@copbfl.com>>

Status: Review Complete Pending Development Order

- The property is platted (FAIRVIEW AMENDED PLAT; ORB 10 Pg 25). When recorded, the plat did not include any plat notes or restrictions to the development of the property.
- Land use for this parcel is Industrial, the zoning is I-1 (General Industrial). Auto Sales with outdoor display is a special exception use (as noted in the narrative) in this zoning district, the Applicant applied for a Special Exception to the Zoning Board of Appeals. Provide a copy of the approved development order, with future submittals.
- The city has sufficient capacity to accommodate the proposal.
- The property is accessed from SW 8th Street. SW 8th Street is within a non-residential zoning district, not specifically listed in the Trafficways Plan or Code of Ordinances (100.01 Minimum right-of-way). The 60 feet provided on SW 8th Street is sufficient.
- The property does not abut any right-of-way identified on the Broward County Trafficways Plan.

**ENGINEERING DEPARTMENT**

Plan Reviewer: David McGirr | [david.mcgirr@copbfl.com](mailto:david.mcgirr@copbfl.com) <<mailto: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. 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.
2. The proposed paving, grading and drainage plans must be approved by the Broward County EPD Surface Water Management Division.
3. Site plan is not very clean. If it could be cleared up about with what's proposed ???
4. At time of permitting submit an Engineering permit application for the proposed onsite and offsite paving.
5. At time of permitting submit a copy of a signed agreed upon contract or a schedule of values for the proposed onsite and offsite paving. Please include sub-base, limerock, 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.

**FIRE DEPARTMENT**

Plan Reviewer: Jim Galloway | [jim.galloway@copbfl.com](mailto:jim.galloway@copbfl.com) <<mailto:jim.galloway@copbfl.com>>

Status: Review Complete Pending Development Order

This P&Z application is able to meet all of the Fire Department requirements at this time for Site Plan Review. However, the petitioner shall maintain all proper fire department access and water supply requirements as per chapter 18 of NFPA 1 as amended from time to time.

\*Additional comments may follow throughout the remainder of the permitting process. The buildings shall be in compliance with All NFPA Standards prior to receiving Fire Department approval.

## **BUILDING DIVISION**

Plan Reviewer: Carpelo Jeoboam | [Carpelo.Jeoboam@copbfl.com](mailto:Carpelo.Jeoboam@copbfl.com) <<mailto:Carpelo.Jeoboam@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.

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.

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 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.

3. 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.

4. FBC\_BCA 107.3.5.2 The enforcing agency will require that all shop drawings, (i.e. components attached to building structure, , fence and gates...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.

5. 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).

6. 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.

7. 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.

8. 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.

9. 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.

10. 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. 11.1804.4 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.

12. 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.

13. 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.

14. 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](mailto:scott_longo@sheriff.org) <[mailto:scott\\_longo@sheriff.org](mailto:scott_longo@sheriff.org)>

Status: 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.

**Key Security: Access Control and Security Strengthening (For businesses with numerous keys on site such as residential or commercial management offices, realtors, car dealerships, etc.)**

- a. Describe access key control security system - general description only, avoid specific location of key storage safe.
- b. Key security office/ room closet door must have an alarm and robust mechanical locking system.
- c. A surveillance camera must monitor the office key storage area.

**Parking Lot, and Adjacent Access Perimeters:**

- a. Parking lots have one of the highest crime rates therefore the following facts must be thoroughly acknowledged and addressed:
- b. Ensure comprehensive parking lot area surveillance camera coverage/ capture. Show overlapping sight "cones".
- c. Ensure all cameras are strategically placed so they will not be obstructed by the growth of existing or installation of future landscaping.

**CRA**

Plan Reviewer

Status

No comments available as of 12-23-2020. Note: this project is not within a CRA District.

**UTILITIES**

Plan Reviewer: Nathaniel Watson | [nathaniel.watson@copbfl.com](mailto:nathaniel.watson@copbfl.com) <<mailto:nathaniel.watson@copbfl.com>>

Status: Review Complete Pending Development Order

1. Please note that additional comments may be forthcoming contingent upon future submittals to the PAM and/or DRC review process.
2. Please procure an approved Broward County EPD Surface Water Management permit or exemption for the proposed site work. Applicable during official e-plan submittal.
3. Please exercise best management practices with regard to protection of existing and proposed storm water systems.
4. Please submit a sedimentation and erosion control plan.

**LANDSCAPE REVIEW**

Plan Reviewer: Wade Collum | [wade.collum@copbfl.com](mailto:wade.collum@copbfl.com) <<mailto:wade.collum@copbfl.com>>

Status: Resubmittal Required

1. Submit a tree survey prepared, signed, and sealed by a Florida Registered Surveyor showing the locations of all existing trees and palms in accordance with Code Section 155.2411, and Part 5 for specifically the large tree location in the NW corner.
2. 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 nonspecimen trees, that assigns each existing tree a number; that specifies the common and botanical name for each existing tree; describes the overall size and caliper of each existing tree; evaluates the health condition of each existing tree; identifies the status of each existing tree (whether the tree is to be protected in place, be relocated, or be removed); and provides a dollar value for each existing tree included on the tree survey in accordance with Code Section 155.2411, and Part 5.
3. Provide any previously approved landscape plans for either parcels.
4. Provide a graphic scale on landscape plan.
5. Provide a data table showing how the site is meeting the requirements of 155.5203. C Minimum Site Development Landscaping.
6. Provide 10' wide VUA requirements as per 155.5203.D with trees and shrubs along perimeters of the site as per Special. Palms do not qualify.
7. Provide sod, irrigation and street trees in ROW.
8. Provide Street Trees at 1:40' as per 155.5203.G.2.c.
9. As per 155.5203.D.4., a landscaped island shall be provided at each end of every row of parking spaces and per every 10 spaces. Landscape parking islands are to be a minimum 8' wide and contain trees, sod and irrigation for all new parking areas. Palms do not qualify.
10. Show sod on the plan.
11. Plans shall meet the intent of previously approved plan 76-4628 in coordination with new required perimeter buffers for the East parcel.
12. Adjust planting details to only show sisal or other biodegradable material attached to trunk of

tree.

13. Provide a mechanical equipment screening detail.
14. Provide soil specifications
15. 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 staffs recommendation that all trees VUA perimeter trees be 14' OA to create a largest CPTED clear line of sight from roadway.
16. Provide a note on plan that a Pre Construction meeting with Urban Forestry is required before any work is performed onsite where there is tree protection and/or plant material is installed on site.
17. 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.
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.

## ZONING

Plan Reviewer: Lauren Gratzer | [lauren.gratzer@copbfl.com](mailto:lauren.gratzer@copbfl.com) <<mailto:lauren.gratzer@copbfl.com>>

Status: Resubmittal Required

1. Provide a copy of the approved development order from the Zoning Board of Appeals for a special exception use (P&Z: 20-17000009) addressing any conditions for the "Used Automobile and Light Truck Sales with Outdoor Display."
2. The variance from 1978 (Appeal: 78-54) corresponds to Building 2 on the site plan only (Lot 8 of Block 11, of Fairview Amended). The proposed area for vehicle display is on the adjoining property, and the minimum parking for this parcel must be addressed. Provide the floor plan with square footage for Building 1, and a list of the tenants & uses in order to calculate the required parking for this building. The last previously approved site plan for this building shows that seven parking spaces were constructed (BP 81-5902) for the purposes of a warehouse. According to City Business Tax Receipt records, Building 1 is currently being used as a contractor's office. A contractor's office requires 1 parking space per 400 SF. Given the size of the building, and the office use, a minimum of 12 parking spaces must be provided. Note that vehicles, trucks, and trailers may be displayed in a vehicular use area provided the parking spaces used for display shall not be eligible for compliance with Minimum Off-Street Parking requirements (155.4219.A.2.c.).
3. Update the parking table on the site plan to include the formulas & calculations. The estimated required parking and provided parking are shown, but they do not correspond to the city's parking regulations, and it's unclear how these numbers were determined.
4. Note on the site plan that all parking will be double striped.
5. Provide the dimension of the width for all landscape buffers. The vehicular use area perimeter buffer shall be a minimum 10' in width per 155.5203.D.3, this is not provided at all locations (in particular in the central landscaped area fronting on SW 8 Street).
6. Provide calculations for the amount of pervious area that is living material (ex: grass, trees) located inside of the property lines. Permeable pavement should not be credited towards the minimum pervious area of a property. The minimum pervious area for properties located in the I-1 zoning district is 20% of the lot. It appears the current pervious area is only about 7% or 2,244 square feet.
7. The dumpster enclosure shall be screened on three sides with a solid view-screening fence that is at least six feet high and on the fourth side with a solid view-screening gate (155.5301.C.b). Commercial

containers shall be located so as to be substantially hidden from view from the adjacent property and the public rights-of-way. Additionally, the following shall apply:

- i. Commercial containers that are visible from a public right-of-way or more restrictive zoning district, or sub-area shall provide a continuous hedge at least two feet high around the commercial container enclosure.
  - ii. Unless legally located in a front or street side yard, no commercial container enclosure shall be placed in an area where the fence regulations would cause a conflict with this section.
8. The proposed bike rack is not permitted to be located in the landscape triangle in front of the building. Bike racks shall be installed on a paved surface and located in visible, well-lit areas conveniently accessible to the primary entrances of a development principal building(s) (155.5102.L.2).

## SOLID WASTE AND RECYCLING

Plan Reviewer: Beth Dubow | [beth.dubow@copbfl.com](mailto:beth.dubow@copbfl.com) <<mailto:beth.dubow@copbfl.com>>

Status: Resubmittal Required

### REVIEW COMPLETE; COMPLETE RESUBMITTAL REQUIRED

Demonstrate adequate trash collection service has been planned for this site. There is no trash receptacle or enclosure shown on this site plan.

1. Specify what type and size containers will be used to accommodate the trash generated by use of the building on this site.
2. Demonstrate access to and from location of the trash container on the site plan.
3. Label garbage/dumpster location on the site plan.

NOTE: Owners of this commercial property are responsible for securing garbage collection service directly from Waste Management, Inc.

NOTE: Recycling collection is not required, but it is encouraged. 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](mailto:beth.dubow@copbfl.com) should you have any questions or concerns regarding this review.

PLEASE NOTE: 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).