

## Staff Report

---

**File #:** LN-137

---

### DEVELOPMENT REVIEW COMMITTEE

Meeting Date: JUNE 16, 2021

### HARBOURSIDE AT HIDDEN HARBOUR SITE PLAN

**Request:** Major Site Plan  
**P&Z#** 21-12000023  
**Owner:** AMP IV-Hidden Harbour, LLC  
**Project Location:** Multiple Addresses  
**Folio Number:** Multiple Folios  
**Land Use Designation:** MUR-H (Mixed Use Residential-High)  
**Zoning District:** PD-I (Planned Development- Infill)  
**Commission District:** 1  
**Agent:** Graham Penn (305-374-5300)  
**Project Planner:** Pamela Stanton (954-786-5561 / Pamela.Stanton@copbfl.com)

### Summary:

The applicant is proposing a multi-building mixed-use development with a maximum height of 8 stories (80' - 4") with commercial use and 271 dwelling units. The site plan was previously approved under PZ#19-12000007 for 9 stories (90'), commercial use and 300 dwelling units, as permitted in the PD-I document (Rezoning PZ#19-13000002). The remaining elements of the site plan are consistent with the previous approval.

### Staff Conditions:

### PLANNING

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

Status: Review Complete Pending Development Order

1. The Declaration of Restrictions (Instrument # 115931649) limits the development as follows: a maximum of 323 residential units, a maximum floor area of commercial development of 510,000 square feet, a marina use of 75,000 square feet with 15 wet slips, and a maximum development of the property not to generate more than 1,377 peak hour external vehicle trips. The data on the site plan indicates there will be 300 units, commercial and retail uses totaling 10,754 square feet, and existing marina of 68,880 square feet with 15 wet slips.

2. Rezoning application (PZ#19-13000002), was approved by the City Commission on January 28, 2020 (Ordinance 2020-26). The conditions of implementation must be addressed prior to approval by the Planning & Zoning Board.

Provide a School Capacity Availability Determination (SCAD) Letter from the Broward County School Board prior to building permit approval.

**ENGINEERING DEPARTMENT**

Plan Reviewer: David McGirr | [david.mcgirr@copbfl.com](mailto:david.mcgirr@copbfl.com) <<mailto:david.mcgirr@copbfl.com>>

Status: Review Complete Resubmittal Required

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

1. 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.
2. Submit / upload the (FDEP) Florida Department of Environmental Protection NPDES General Permit for the proposed storm water discharge from the proposed site construction activities.
3. 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.
4. Submit / upload a copy the (BCEPGMD) Broward County Environmental Protection and Growth Management Division permit or written exemption from this agency for the proposed construction of the reuse watermain and the gravity sanitary sewer service lines shown on the civil engineering plans.
5. Submit / upload a copy the (FDEP) Florida Department of Environmental Protection permit or written exemption from this agency for the proposed construction of the reuse watermain and the gravity sanitary sewer service lines shown on the civil engineering plans.
6. Submit / upload a copy of the (FDEP) Florida Department of Environmental Protection permit or written exemption from this agency for the proposed potable water service line connections shown on the civil engineering drawing
7. Submit / upload a copy of the (FDOT) Florida Department of Transportation Utility construction permit for the proposed off-site potable water and sewer main or lines to be constructed within the road right-of-way of N. Fed. Hwy.
8. Submit / upload a copy of the (FDOT) Florida Department of Transportation Driveway connection permit for the proposed driveway, roadway curb and gutter and sidewalk to be constructed within the road right-of-way of N. Fed. Hwy.
9. Submit / upload a copy of the (FDOT) Florida Department of Transportation Driveway drainage connection permit for the proposed driveway, roadway curb and gutter and sidewalk to be constructed within the road right-of-way of N. Fed. Hwy.
10. Any proposed water, reuse, storm water and sewer services connection to service this project needs approval by the City of Pompano Beach Utilities Division.
11. Update the 2019 City Engineering standard details for the proposed off-site water, reuse, sewer, off site paving/pavers, curbing and sidewalks. These detail drawing may be obtained in pdf format from the City's website [www.pompanobeachfl.gov](http://www.pompanobeachfl.gov) under departments /engineering.
12. 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.
13. Conceptual civil plan design lacked detail and specifics.

14. Road way and street parking material and details?

15. Civil plans and an Engineering permit need to be submitted for any dock and seawall work. Section 151. of the City Ordinance must be followed along with other state and county approvals..

16. Place note on plans for: How to retire old laterals

- If the existing main is clay pipe and has a CIPP liner currently installed. (Install a sectional liner in the main over the old lateral thus eliminating the lateral)
- If the existing main is clay pipe. (Dig down cut old clay pipe, sleeve back in with PVC and city approved couplings)
- If the existing main is clay pipe and you are required to retire multiple laterals for a project.(It may be cheaper for the contractor to install a city approved CIPP liner from manhole to manhole and not cut out the laterals that they are retiring)
- If the existing main is PVC pipe. (Remove the lateral pipe from the PVC Wye fitting and install a plug into the Wye. Install a green locating marking ball at the lateral locating, no deeper than 4 ft. below grade)

17. With the road way paving and on-street parking clearly show that the proposed drainage and existing drainage is going to adequately drain and not cause flooding and ponding.

100.38 DRAINAGE OF PUBLIC RIGHT-OF-WAY.

- (A) If an area of the city has no positive storm drainage system, or if in the opinion of the City Engineer the existing positive storm drainage system is inadequate, no more than 50% of the area between the existing street pavement and the right-of-way line shall be paved, stabilized, or otherwise rendered reduced in permeability unless other methods of storm water removal, subject to the approval of the City Engineer, are provided. Installation and maintenance of any dry well or other percolation device installed pursuant to this section shall be the sole responsibility of the owner of the property benefitted thereby. Any maintenance or repair of any dry well or other percolation device by city forces shall be done only upon specific request of the property owner, in which case the property owner shall be charged the sum of \$300 per dry well or other percolation device plus \$100 per hour in excess of three hours for the maintenance or repair. Permeable areas shall be graded so as to receive storm water run-off from the public roadway and paved driveways.
- (B) All grassed areas and other permeable areas within the public right-of-way shall be graded so that they are lower than the adjacent public street and driveway pavement. Street swales have a minimum depth of six inches below crown grade of the street unless authorized otherwise by the City Engineer. Permeable areas shall be maintained by the adjacent property owner at the grades originally approved for construction unless otherwise authorized by the city.

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

\*\*\*\* Please note - additional review comments may be issued by the City Engineering Division throughout the remainder of the permitting process while the civil engineering plans are being finalized for this project.\*\*\*\*

## **FIRE DEPARTMENT**

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

Status: Review Complete Resubmittal Required

( ) Submit site/civil plans showing location of existing or proposed water mains (including size) and fire

hydrants in area. Refer to NFPA 1 2018ed Chapter 18 for required fire flow, minimum number of hydrants and spacing.

- ( ) 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.
  - ( ) 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 2018ed chapter 18)
  - ( ) Additional fire hydrants required for proper spacing on all sides of structure. refer to NFPA 1 ch 18 for proper spacing.
  - ( ) location of fire pump room? for building along Federal Hwy.
  - ( ) location of fire department connections for each building?
  - ( ) Provide a fire apparatus circulation plan, incorporating the approved road widths (minimum 20ft wide) and turning radius, minimum turning radius 30ft inside and 50ft outside. Provide both arcs and center point that arcs are measured from.
  - ( ) Provide a fire lane at main entrance for emergency vehicles to pull out of road traffic. Area can be used as a Loading/unloading area at main entrance for drop off (taxi/Uber) if driver's remain with vehicle.
7. Indoor Radio Propagation Signal Strength Model: This structure may require a Bi-Directional Amplifier system. A qualified BDA designer/installer with local knowledge shall be needed to review this proposed plan. A computer generated "color heat map" showing anticipated unenhanced signal strengths within all areas of the proposed structures shall be required as part of this site plan review. If this computer-generated heat map reveals that there will be insufficient signal strength to support the City's public safety radio communications network, a Bi-Directional amplifier system will be required. Plans for system will be required at building permit. Structures requiring a BDA system will not be issued a TCO or CO until this system is installed, tested and functional. System must be approved by Broward County: Office of Regional Communications and Technology, 115 S Andrews Av, #325 | Ft Lauderdale, FL 33301, Tel: 954-357-8570 or 954-357-8673 (NFPA 1 chapter 11 section 11.10.1, NFPA 72 chapter 24, Florida Building Code Broward County Amendments Chapter 1, Section 118)

## **BUILDING DIVISION**

Plan Reviewer: Todd Stricker | [todd.stricker@copbfl.com](mailto:todd.stricker@copbfl.com) <<mailto:todd.stricker@copbfl.com>>

Status: Review Complete Pending Development Order

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 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.

8.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.

9.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.

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

11.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).

12.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.

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.If Applicable, FBC R802.1.7.1 [IRC R802.10.1] Truss design drawings, prepared in conformance with section R802.1.7.1, shall be provided to the building official and approved prior to installation.

21.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.

22.1804.4 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.

23.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.

24.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.

25.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: Patrick Noble | [Patrick\\_Noble@sheriff.org](mailto:Patrick_Noble@sheriff.org) <[mailto:Patrick\\_Noble@sheriff.org](mailto:Patrick_Noble@sheriff.org)>

Status: Review Complete No Comments

Reviewer: BSO Deputy Patrick Noble #9436 for the City of Pompano Beach

[Patrick\\_Noble@sheriff.org](mailto:Patrick_Noble@sheriff.org) M-(954) 709-7006 (Call, Text & Email; No Voicemail); Monday - Thursday; 8 AM - 4 PM

\*\*\* 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.

## **CRA**

Plan Reviewer:

Status: Comments not available as of 6/16/2021.

## **UTILITIES**

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

Status: Review Complete Resubmittal Required

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 and off-site work. Required during official e-plan submittal.
3. Please procure an approved Broward County Wastewater Collection permit for the proposed reclaimed main termination and rerouting. Required during official e-plan submittal.
4. Please procure an approved FDEP permit for the proposed water main upgrade. Required during official e-plan submittal.



5. Please note that the on civil plan 005 C2 that the 24" reclaim watermain abandonment shall be cut, capped and/or plugged at the source main at the City Municipal Golf Course.
6. Please show the proposed irrigation connections on civil plan 005 C2. Please note that these connections shall be reclaim irrigation services.
7. Please show on civil plan 005 City accessible boxed sanitary sewer cleanouts just behind the recorded property line for sewer lateral services.
8. Please show on plan 009 I1 irrigation plan that the irrigation connections shall be reuse.
9. Please note that meters 3" and larger are not stock items and are subject to an order lead time of 60 to 75 days after the items are paid. Please order accordingly.
10. Please attach the following 2019 City Engineering Standard Details as they apply: 200-1 Service Laterals with Risers, 201-1 Gravity Sewer Laterals, 210-1 Sewer Box and Cover Non Traffic, 210-2 Sewer Box and Cover Traffic, 210-3 Sewer Box and Cover Heavy Traffic, 316-1 Required Tree Locations, 506-1 Typical 1 inch Reuse Water Service, 506-2 Typical 2 inch Reuse Water Service.

## **LANDSCAPE REVIEW**

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

Status: Review Complete Resubmittal Required

1. Provide a comment response sheet to the last round of DRC Comments from 19-12000007
2. New landscape sheets do not match previous submittal as to information and sheet numbers. Please correct so that an accurate side by side review can be performed.
3. Please clarify deviation table as to how requests have been supplemented.
4. Please provide a separate sheet showing proposed suspended pavement systems with the required soil volume highlighted. Also, please include the layout and specifications on both the Civil and Paving Grading and Drainage sheets.
5. Staff has some concerns about the use of the *Coccoloba* and the *Bulnesia* as these species tend to not fare well in or urban environment. Please discuss with staff alternates.
6. Bubblers will be provided for all new and relocated trees and palms.
7. It is recommended to propose canopy misters for the Medjool palms in order to reduce impacted transpiration due to aerosol salt and aid in establishment.
8. 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
9. Provide rooftop planter detail with soil composition, soil profile, material, waterproofing, drainage specs, soil specs, top dressing, etc.
10. Provide details for planters on Amenity Deck for Provide detail tree and palm guying system for all planter areas on Amenity Deck
11. 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.
12. 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.
13. 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.
14. All tree work will require permitting by a registered Broward County Tree Trimmer.
15. Provide a comment response sheet as to specifically how comments have been addressed at time of resubmittal.
16. Additional comments may be rendered at time of resubmittal.



1. 19-12000007 DRC resub comments
2. Comment response sheet does not appear accurate and may not be referencing the latest comments. Landscape sheets need to be renamed on the comment response letter so staff can track with corrections as they are not the same.
3. Submit a Tree Appraisal prepared by an ISA Certified Arborist in accordance with Rule 14-40.030, Florida Administrative Code, as amended, 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. For trees/palms within the current scope of work.
4. 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.
5. Provide the dollar value and DBH of trees removed vs. the dollar value and caliper of trees replaced and label these as mitigation trees.
6. Provide an alternate flowering tree to *Clusia* on the West side of the structure on the Federal Hy side.
7. Please provide an overall landscape plan of the project.
8. Rename / retitle landscape plans / tree disposition plans to have the correct labels and sheet name in the file so that an accurate review can be performed.
9. Street trees are required to be canopy trees please adjust. Palms can be added but cannot take the place of the canopy trees
10. Provide the previously approved plan for Aqua Marine and note that the site must meet these plans prior to final CO.
11. Provide a note that all existing trees must be structurally pruned by a Registered Consulting Arborist prior to final CO.
12. Please provide a separate sheet showing proposed suspended pavement systems with the required soil volume highlighted. Also, please include the layout and specifications on both the Civil and Paving Grading and Drainage sheets.
13. Provide corrected square footage of the site, sans the existing storage building, so that correct site calculation can be performed.
14. Change Street trees along NE 23 Ave to be large canopy trees.
15. Remove / relocate utilities out of all required landscape areas.
16. Provide Maintenance agreement for the ongoing upkeep of proposed tree grates on site.
17. Provide details specifying underground self-contained palm tree guying systems such as the Platypus for large species palms proposed on sidewalk and pedestrian access areas.
18. Provide rooftop planter detail with soil composition, soil profile, material, waterproofing, drainage specs, soil specs, top dressing, etc.
19. Additional comments will be rendered at time of resubmittal.

## **ZONING**

Plan Reviewer: Pamela Stanton | [pamela.stanton@copbfl.com](mailto:pamela.stanton@copbfl.com) <<mailto:pamela.stanton@copbfl.com>>

Status: Review Complete Resubmittal Required

1. The traffic study that was conducted with the previous application needs to be revisited to determine whether 1) the approved conditions from the Development Order will remain, or 2) a new traffic study will take place.
2. Clarify how the figures on the Parking Breakdown table were formed. For example, the table shows the Required Residential Parking as 458 spaces, and the Provided Residential Parking as 308, a deficiency of

150 spaces. Also, the Total Parking Required as 535, and the Total Provided as 525, a deficit of 10 spaces.

3. The Parking Breakdown table indicates 77 parking spaces are required for the non-residential uses. The table indicates 217 spaces are provided for the non-residential uses. Pursuant to Section 155.5102.D.5, for any use listed under the commercial use classification in Table 155.5102.D.1 [https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl\\_zone/0-0-0-38420](https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl_zone/0-0-0-38420), Minimum Number of Off-Street Parking Spaces, the number of off-street parking spaces shall not exceed 125 percent of the minimum number of parking spaces required. Address this issue.
4. Provide a photometric plan for the parking lot on the north side of NE 16 Street as part of this application.
5. Clarify whether material or color changes are proposed as part of this site plan application, or if the changes were made inadvertently during the submittal process. The color elevations depict a change in color of various 4-inch concrete projection elements.
6. An Air Park Obstruction determination letter must be obtained for this project.
7. In the PD document, a note on the SCAD report, dated December 18, 2017, states: *Please be advised that if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first.* Provide information regarding the status of the required public school concurrency review.
8. Provide information regarding the status of each of the conditions of the PZB and AAC Development Orders and of Ordinance 2019-26 below:

**Conditions of the PZB Development Order 19-12000007 (Site Plan)**

**Obtain approval and revise affected plans to address the following issues prior to Zoning Compliance Permit approval:**

1. Successfully obtain the following final approvals:
  - a. Air Park Obstruction Permit approval for building's height (PZ: 20-12400002).
  - b. Valet Parking Agreement
2. Resolve the following maneuverability issues:
  - a. Provide a dock master to coordinate loading/refuse operations in order to minimize impacts to traffic along the roadways.
  - b. Revise circulation or layout as necessary so vehicles on south side of garage do not conflict with each other.
  - c. Address marine/boat delivery operations planned along NE 23<sup>rd</sup> Avenue. Provide an analysis along with a summary of the planned concept of the operations.
3. Prior to the issuance of a building permit for the mixed-use development and subject to the approval of Broward County Traffic Engineering Division, the Applicant shall:
  - a. Install additional "DO NOT BLOCK INTERSECTION" (R10-7) signs (ground mounted in the median and/or on the mast arm) for westbound NE 14<sup>th</sup> Street traffic to supplement the existing sign located on the sidewalk.
  - b. Install supplemental plaques below the R10-7 signs stating the fine amount and applicable Florida statute "\$165 FINE - F.S. 316.2061"
  - c. Install "DO NOT BLOCK INTERSECTION" intersection markings for the westbound lanes at the NE 14<sup>th</sup> Street/NE 23<sup>rd</sup> Avenue intersection consistent with Manual on Uniform Traffic Control Devices (MUTCD).
4. Prior to the issuance of a building permit for the mixed-use development, the Applicant shall:
  - a. Provide the City with a payment of \$35,000 to fund a detailed traffic operations study at the NE

- 14th Street intersections at US 1/Federal Highway and NE 23rd Avenue after the issuance of a certificate of occupancy for the final residential unit in the project. The goal of the study is to assess normalized traffic operations in the study area with inclusion of the project's traffic and identify any signal phasing/timing/coordination improvements that would address deficiencies identified in the analysis.
- b. Provide the City with a bond in a form acceptable to the City in the amount of \$250,000 to fund improvements identified as part of the future traffic operations study. Based upon review of current conditions; the improvements may include, but not be limited to traffic signal timing, the interconnection of the two (2) signalized intersection controllers, or the replacement of the two (2) existing intersection controllers with a single controller unit coordinating both intersections. The bond, along with any funds not expended in the study or improvements, will be released upon the earlier of the completion of any necessary improvements or thirty (30) months following the issuance of a certificate of occupancy for the final residential unit in the project.
  - c. Results of the Traffic Analysis to be forwarded to the Planning & Zoning Board for informational purposes.
5. Standard conditions of approval and/or specifications required prior to Building Permit/Zoning Compliance Permit issuance:
- a. Provide an updated School Capacity Availability Determination letter (SBBC-1919-2015, dated 12/18/2017) from the Broward County School Board.
  - b. Provide evidence that the development achieves at least 12 sustainable development points (TABLE 155.5802, Sustainable Development Options and Points).
  - c. Pursuant to Section §155.2416 [Master Sign Program] and Section §155.51002 [Sign Structure Design Standards], the proposed development shall obtain approval for signs and free standing sign structures from the AAC, prior to approval of a Sign Code Compliance Permit.
  - d. Include a copy of the approved CPTED plan, approved by the Broward Sheriff's Office.
  - e. Compliance with all applicable City Ordinances, including but not limited to comments issued by the Development Review Committee.
  - f. Substantial compliance with the plans, as submitted with this application.
6. The Applicant shall provide the City with a public access easement for the waterfront promenade linking NE 16 Street to NE 23 Avenue that provides for public pedestrian access during daylight hours.
7. The Applicant shall install prominent signage within all levels of the parking garage requiring vehicles to be parked "back in only."
8. A location for the valet pick up area on NE 23rd Avenue must be agreed upon in order to avoid "U-turns" at the intersection of NE 23rd Avenue and NE 16 Street. Options include routing the return route along Federal Highway, creating a designated pickup area on the west side of NE 23 Avenue, or some other configuration as determined as part of the Valet Agreement, and approved by the Development Services Department and City's Parking Manager.
9. Applicant shall amend the landscape plan to include live oak (*Quercus Virginiana*) or similar canopy trees at a minimum of twenty (20) feet in height and Washingtonia palms (*Washingtonia Robusta*) or similar palms at thirty (30) feet in height along the Federal Highway and NE 23rd Avenue rights of way in a manner to be reviewed by the City's Urban Forester at the time of building permit.
10. Applicant shall provide lighting levels at the exterior of the parking garage and along all property lines to be assessed prior to building permit issuance.
11. Where possible, add additional details to screen the cars and light fixtures from the street. Options include adding mesh to the railings, a knee wall, and moving any light figure that can be viewed.

**Conditions of the AAC Development Order 19-12000007 (Building Design)**

**Staff Conditions:**

1. Building permit plans are subject to compliance with all applicable Code requirements, including but not limited to DRC and AAC comments issued for this site plan.
2. Landscape and Irrigation Plans must comply with Zoning Code requirements as verified by the City's Urban Forestry Division.
3. Provide overall design of park on NE 16<sup>th</sup> Street.
4. Pursuant to Section §155.2416 [Master Sign Program] the proposed development shall obtain approval for signs and free standing sign structures from the AAC, prior to approval of a Sign Code Compliance Permit.
5. Provide an 11x17 Material and Paint sample board that is consistent with all materials and colors provided on the color elevations.

**AAC Conditions:**

1. The park on NE 16 St. will be reviewed by the Committee prior to the issuance of a building permit.
2. The artwork and/or decorative screening on the garage will return to the Committee for review how it attaches to the garage and what materials are proposed prior to receiving a building permit.

**Rezoning Ordinance 2019-26. CONDITIONS OF IMPLEMENTATION: This rezoning is subject to the following conditions which must be addressed as part of Site Plan approval.**

- A. Prepare and file a Unity of Control document approved by the City for the entire development;
- B. Work with the City's Urban Forester to provide maximum landscaping for the site;
- C. Provide an overall design of the park on NE 16th Street;
- D. Obtain an Air Park Obstruction Permit approval from the Planning and Zoning Board;
- E. Have Traffic Studies performed as indicated below:
  - 1) Conduct a traffic operations analysis at the intersections of NE 14th Street/ NE 23rd Avenue and Federal Highway/ NE 14th Street including level of service, delays, and queue lengths. The analysis shall include weekday period field reviews and queue measurements and intersection blockages. The methodology and operations analysis shall be submitted to and approved by the City's Traffic Engineering Consultant. If deficiencies are identified the applicant shall construct improvements to address those deficiencies;
  - 2) Conduct a maneuverability analysis subject to review of the City's Traffic Engineering Consultant for the proposed development. The analysis shall utilize the appropriate AASHTO design vehicles for parking areas, loading areas, and garbage truck operations. If conflicts are identified the applicant shall revise plans to provide for efficient and safe traffic circulation;
- F. Obtain final approval for a Valet Parking Agreement and record the agreement with the Broward County Records Division.

**SOLID WASTE**

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

Status: Review Complete Resubmittal Required

**NORTHEAST GARBAGE COLLECTION AREA (Building 2)**

1. Ensure that there is adequate height clearance for servicing by garbage trucks. Garbage trucks require a minimum of 15 feet clearance for driving access and 21 feet of clearance for servicing dumpsters. Units and walkways above may be in conflict. The site plan notes “open,” but if it isn’t open to the sky, please provide an actual height clearance.
2. The width of the opening to the garbage service/loading area is not adequate. The opening must be a 12’ or more in order for the truck to maneuver into place without scraping the sides of the opening or surrounding walls.
3. It is highly suggested to lengthen the service area to allow the containers to be switched out for service without needing to move the truck once it is in place. A garbage truck is 35 feet long and will not fit in the service area while servicing the containers. This will cause the drop-off/pick-up area near the valet to be blocked during collection service.

**WEST GARBAGE COLLECTION AREA (Building 1)**

4. The dimensions of the garbage service area do not appear to be correct.
5. Please mark the plans with the height clearance in feet and inches. “Double height” is not specific enough.
6. Property management will be responsible for toting the trash and recycling from the northwest trash room to the collection area.

NOTE: Owners of commercial properties are responsible for securing garbage collection service directly from Waste Management, Inc. Rental communities are considered commercial properties.

NOTE: Recycling collection is not required, but it is suggested. 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.

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).