

May 29, 2024

**City of Pompano Beach**  
100 West Atlantic Blvd.  
Pompano Beach, FL 33060

**Re: Patagonia | PZ23-12000048**  
**Response Letter**

The following is a response to staff comments. Below are the comments along with our responses in bold:

Landscape | Wade Collum | [wade.collum@copbfl.com](mailto: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: Provided in "NOTES" on LA.100, LA.200, LA.201**

2. As per 155.3501.H.6.c.vi.g. Overhead utilities are not permitted. Existing overhead utilities shall be relocated underground.

**Response: Provided in "NOTES" on LA.100, LA.200, LA.201**

3. Site plan does not match landscape plan.

**Response: Backgrounds have been coordinated.**

4. 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.

**Response: Provided.**

5. 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: Provided.**

6. Provide the dollar value for specimen trees, height on palms, and DBH of all non-specimen trees removed vs. the dollar value, palm height, and caliper of trees replaced.

**Response: Provided.**

7. As per 155.3501.J.3.d. Native trees shall be preserved where feasible. Building setback should be adjusted to preserve tree canopy. A native tree as a focal point in a courtyard or expanded sidewalk area is encouraged.

**Response: Provided where possible. The number of Native trees exceeds the required amount.**

8. As per 155.5204.E.b.i-iv; Mitigation is to be above and beyond required plantings.

**Response: Understood. Calculations made accordingly.**

9. Please provide and update data tables for each individual site and label as such.

**Response: Provided.**

10. As per 155.3501.J.3.a. Suspended pavement systems must be specified for trees in landscape areas directly abutting paved areas.

**Response: Provided.**

11. As per 155.3501.J.3; Provide Modular Suspended Pavement System with aggregate subbase (such as Silva Cell) for trees in landscape areas directly abutting paved areas. Required tree soil volume shall be provided in accordance with Figure 155.3501.J.3.a: Required Tree to Soil Volume Ratio Graph below. To include the WANE Tree Preservation System.

**Response: Provided.**

12. Provide Root Barrier specifications on the plan. Staff strongly recommend a hard physical root barrier, such as Deep Root hard plastic at least 24" in depth in all areas bordering hardscapes or utilities.

**Response: Provided. Detail on sheet LA.301**

13. Provide street trees at 1:25' per the above. Palms do not qualify.

**Response: Trees provided.**

14. As per 155.3501.K.5.d correct street tree size to be at the time of planting, the shade tree shall be a minimum of 24 feet in height with 8 feet clear trunk. Trees species shall be changed to a more readily available tree species to meet the requirements, staff recommends Oak trees, either Reason 7 or RPG certified trees. Fifty percent (50%), the rest shall be flowering trees.

**Response: Provided.**

15. As per 155.3501.H.6. vi. Except as modified through the Street Development Regulating Diagrams for each TO District, all streets and alleys/service roads shall adhere to the following standards: b. For streets only, tree grates a minimum of five feet by five feet may be utilized in place of the required landscape strip. The use of tree grates is appropriate when on-street parking is provided. When no on-street parking is provided, landscape strips are preferred.

**Response: Understood.**

16. Provide required Type B Perimeter Buffers on North side as per 155.5203.F.3. and provide a cross section detail to include the wall.

**Response: Landscape to provide the buffer section.**

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

**Response: See Landscape Requirements Chart LA.200 and LA.201**

18. Change out Clusia's to Tabebuia heterophyllas due fruit drop and that they tend to have a more upright and columnar growth pattern.

**Response: Landscape plan has been revised to eliminate Clusias and add Tabebuias.**

19. Provide VUA requirements as per 155.5203.D along the west side of Apt. Add 1 more large canopy tree to that area.

**Response: Siteplan and Landscape requirements charts have been updated to new VUA on sheets LA.200 and LA.201.**

20. For streets only, tree grates a minimum of five feet by five feet may be utilized in place of the required landscape strip. The use of tree grates is appropriate when on-street parking is provided. When no on-street parking is provided, landscape strips are preferred.

**Response: Understood. No on-street parking is provided. Landscape Strips are provided.**

21. Provide a large canopy tree at the end of the parking row in the end island on the NW corner.

**Response: Provided.**

22. As per 155.3501.H.5. Street Development Applicability The Specific Street Design Standards are applicable to city initiated streetscape Partial or mid-block development shall only be required to provide streetscape improvements for the entire street frontage abutting the development to the extent feasible, in coordination with the City Engineer, however, the dedicated widening of the right-of-way or dedicated public easement shall be provided, where applicable in accordance with the DPOD Street Section diagrams

**Response: Understood.**

23. Twnhs side.

**Response: ???**

24. As per 155.5203.D.5 VUA in part, the Development Services Director may grant modifications to the required landscaping between vehicular use areas and buildings for development that provide at least 50% of the required width, subject to providing superior landscape design that includes a minimum of trees or palms as follows within the subject area and must include one or more of the following elements:

- Palms must be provided in multiples (doubles or triples);
- If palms and trees are combined, one row of shrubs can be provided;
- If palms or trees are provided, shrubs must be included in layering or height tiering with a minimum of 2 layers or tiers;
- If trees are provided, design must include a minimum of 2 species;
- Trees or palms must be a minimum of 14 feet in height;
- Layered or height tiered shrubs are provided in variety with a minimum of two (2) species;
- Suspended pavements systems are provided for the adjacent vehicular use area.

**Response: Palms are provided in triples at VUA, combined with multiple species of trees at 14' min., and multiple rows of shrubs. Silva cell is used under adjacent hardscape**

25. Provide palms in the finger islands as part of accomplishing the above.

**Response: Trees are being provided in the finger islands.**

26. Each parcel will have to have the minimums for trees and landscaping per lot.

**Response: Provided. A table of requirements is provided for each parcel on LA.200 and LA.201**

27. Please provide sod in the plant list.

**Response: St. Augustine "Citrablue" sod is provided.**

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

**Response: Provided.**

29. 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 / eccentric footings as it relates to these areas.

**Response: Cross section detail has been added. See detail 2 on sheet A-080.**

30. 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.

**Response: Provided. Notes and specified cut-off devices are specified on LA.400 and LA.401.**

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

**Response: Provided on LA.400 and LA.401**

32. Remove existing trees being shown on neighboring property's as it makes the plan muddy.

**Response: Revised.**

33. Provide 1 tree on either side of the drive aisle entering on the east side of the apartment building.

**Response: We're providing trees on both sides of both driveway entrances.**

34. Provide a photometric plan.

**Response: Provided.**

35. Provide a civil plan.

**Response: Provided.**

36. No exterior lighting fixtures shall be located in any landscaped planting areas required in and around vehicular uses areas in accordance with Section 155.5401.C, Vehicular Use Area Landscaping (e.g., perimeter landscaping strips, landscaped islands in parking bays, landscaped areas between parking bays, and landscaping between vehicular use areas and buildings).

**Response: We're not showing any landscape lighting**

37. 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 / eccentric footings as it relates to these areas.

**Response: Cross section detail has been added. See detail 2 on sheet A-080.**

38. As per 155.5204.F.3.d; All underground utility lines shall be routed around the tree protection area where possible. If this is not possible, a tunnel made by a power-driven soil auger may be used under the tree.

**Response: Understood.**

39. 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.

**Response: Provided. Notes and specified cut-off devices are specified on LA.400 and LA.401.**

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

**Response: Provided on LA.400 and LA.401**

41. Please provide a staggered grouping of palms at the street facing corners to soften the building and create sense of scale as it pertains to the pedestrian realm.

**Response: Provided on LA.400 and LA.401**

42. 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: Provided in "NOTES" on LA.100, LA.200, LA.201**

43. Provide a note stating; All trees designated as single trunk shall have a single, relatively straight, dominant leader, proper structural branching and even branch distribution. Trees with bark inclusion, tipped branches, and codominant trunks will not be accepted. Trees with girdling, intact leader circling and/or plunging roots will be rejected.

**Response: Provided in "NOTES" on LA.100, LA.200, LA.201**

44. Provide a note on plan that a Pre Construction meeting with Urban Forestry is required before any work is performed onsite. Especially where there is tree protection and/or plant material is installed on site.

**Response: Provided in "NOTES" on LA.100, LA.200, LA.201**

45. 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: Provided in "NOTES" on LA.100, LA.200, LA.201**

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

**Response: Provided in "NOTES" on LA.100, LA.200, LA.201**

47. Provide a comment response sheet as to specifically how comments have been addressed at time of resubmittal.

**Response: Provided.**

48. Additional comments may be rendered at time of resubmittal.

**Response: Understood.**

Utilities | Nathaniel Watson | [nathaniel.watson@copbfl.com](mailto: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: Broward County Surface Water Management Permit will be obtained for the site.**

3. Please indicate on civil plan 044 PE-07 Utility Plan APT / 045 PE-08 Utility Plan the total site water consumption in (GPD) gallons per day.

**Response: Water/Wastewater Consumptive Use Demand table has been added to each of the Utility Plan sheets.**

4. Please indicate on civil plan 044 PE-07 Utility Plan APT / 045 PE-08 Utility Plan the total wastewater discharge from the site in (GPD) gallons per day.

**Response: Water/Wastewater Consumptive Use Demand table has been added to each of the Utility Plan sheets.**

5. Please note that any proposed metered service 3" or larger are not stock items. These meters are subject to an order lead time. Please order these items in a timely manner to ensure that the services are available for installation.

**Response: Acknowledged.**

6. Please submit a sedimentation and erosion on control plan.

**Response: Erosion Control Plan has been added to the plan set**

7. On civil plan civil plan 044 PE-07 Utility Plan APT, note/show that the proposed 6" dedicated fire service requires a 6" dedicated fire meter. Please correct.

**Response: Call-out on Fire DDCV updated to denote Fire Meter.**

8. Please show and/or note on civil plan civil plan 044 PE-07 Utility Plan APT / 045 PE-08 Utility Plan that any existing and unutilized water services or sewer laterals to the lot must be terminated at the main per City specification by the owner. Civil plan civil plan 044 PE-07 Utility Plan APT / 045 PE-



08 Utility Plan must show the existing water and/or sewer connections and note that the services shall be utilized or how the services will be terminated to City specification by the owner. Please correct.

**Response: Note has been added to Utility Plan**

9. Please attach the following 2022 City Engineering Standard details as they apply: 102-1 Valve Box Settings, 103-1 Gate or Valve Plug Settings, 106-1 Backflow Preventer, 106-2 Master Meter and Backflow Device, 106-3 Fire Meter and Backflow Device, 106-4 Meter Install Dimensions List, 107-1 Typical 1" Water Service, 107-2 Typical 2" Water Service, 115-1 Underground Valve Identification Marker, 210-2 Sewer Box and Cover Traffic, 210-3 Sewer Box and Cover Heavy Traffic, 315-1 Typical Screen For Utilities, 316-1 Required Tree Locations.

**Response: Detail Sheets have been added to the plan sets with appropriate details.**

Fire | Jim Galloway | [jim.galloway@copbfl.com](mailto:jim.galloway@copbfl.com)

Access to parking area:

1. Fire department access roads shall have an unobstructed vertical clearance of not less than 13ft 6 in. (NFPA 1 2018ed chapter 18 section 18.2.3.5.1.2)

**Response: 17'-0" vertical clearance provided, see sheet A-601 detail 5.**

2. 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.

**Response:**

3. Place proposed fire hydrant and FDC at intersection of NW 3rd St and NW 7th Ave. Allows for access to multiple sides of proposed buildings.

**Response: A 2<sup>nd</sup> Fire Hydrant has been added along NW 7<sup>th</sup> Ave.**

4. 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 may be required for project (NFPA 1 2018ed chapter 18). This information must be provided at DRC to evaluate current water supply conditions.

City of Pompano requires a minimum of 2 fire hydrants. Maximum distance to secondary fire hydrant is 400ft of any future building. Distance is measured by fire apparatus travel on access roadways. (COPFL ORD.95.09(C)) Complete attached form "Water Supply Fire Flow". Document located in the E-files folders of e-Plan.

**Response: A 2<sup>nd</sup> Fire Hydrant has been added along NW 7<sup>th</sup> Ave.**

5. 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 meter

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: Fire Flow test to be requested and report will be submitted to City.**

6. Documentation of purchase for fire service backflow and meter assemblies must be provided to City of Pompano Utilities and Fire Prevention before underground inspections of water mains. Installation of assembly as per backflow/meter specifications and following standards: NFPA 13 Standards of Installation of Fire Sprinklers, NFPA 25 Standards for Inspection, Testing, and Maintenance of Water Based Fire Protection Systems. All control valves on backflow and meter assemblies, total of four (4), for fire protection systems must have fire alarm supervision (tamper switches).

**Response: Acknowledged**

Zoning | Pamela Stanton | [pamela.stanton@copbfl.com](mailto:pamela.stanton@copbfl.com)

1. Provide written responses to all comments.

**Response: Acknowledged**

2. The proposed project will be a Major Site Plan/Building Design application.

**Response: Acknowledged**

3. Right-of-way dedication(s) will be required. The ultimate right-of-way width of NW 7 Ave is 50 feet (verify with the City Engineer) and 80 feet for NW 3 St at this location. Provide a dimension from the centerline of NW 7 Ave to the edge of the right-of-way on both sides, and revise the plans as necessary to depict the PROPOSED right-of-way line by providing the required 25-foot right-of-way width on both sides of the centerline. Provide a dimension from the centerline of NW 3 St to the north right-of-way line, and make revisions as necessary. Dedications will be a condition of the Development Order and will be required to be finalized prior to permit approval.

**Response: Acknowledged. Dimensions to centerline have been provided. See page A-080**

4. The parcel diagram on sheet A-001 depicts a separate parcel labeled "sidewalk easement." A not on same sheet indicates that all areas are taken from Broward County Property Appraiser. However, BCPA does not show a separate parcel for this location.

**Response: BCPA show this area as right-of-way. Page A-001 has been changed.**

5. Density is calculated on the post-right-of-way-dedication parcel size. Revise the Density calculations on sheet A-005 to provide the correct calculations and density not to exceed 18 by-right units per acre and 10 bonus units per acre.

**Response: All density calculations have been revised and now show the correct calculations, separated on the 2 separates parcels, 26 units are provided on the west parcel and 6 units on the east parcel.**

6. The same bonus, public art, cannot be used for both the Height bonus and the Density bonus unless two separate pieces of artwork and/or two separate contributions are made, both in compliance with the option requirements.



**Response: Acknowledged**

7. All Height bonuses that are available in the Edge Sub-Area allow an additional 12 feet. The building height calculations on sheet A-005 show the building height of 48 feet, which exceeds the allowable height with bonus.

**Response: Proposed Height doesn't exceed 38'-8" in new design.**

8. Provide two calculations for Density: 1) by-right Density, and 2) bonus Density.

**Response: Acknowledged, see code analysis for 2 different parcels. Page A-005 and A-006**

9. The project site is located in the Edge Sub-Area as shown on the DPOD Sub-Areas Regulating Plan, and in the MM-2 Use Area as shown on the DPOD Use-Areas Regulating Plan. Table 155.3708.H.i.1, Use Areas with Requirements on Residential and Nonresidential Uses states that residential use is not permitted on the first floor in MM-2 and that nonresidential is required on the first floor. Revise plans to provide only nonresidential use on the ground floor of both buildings. Although Townhouse building types are permitted in the Edge Sub-Area, a townhouse building type is not permitted in MM-2 due to the requirement for ground-floor nonresidential use.

**Response: No more residential units are proposed on the first floor, retail is proposed.**

10. Remove the Townhouses Type B from the Building Type on sheet A-005, as residential use is not permitted on the ground floor in the MM-2 Use-Area.

**Response: Townhouses have been removed from the program.**

11. The Building Length data on sheet A-005 indicates that the building is 241 feet – 11 inches in length. Section 155.3501.O.2.c requires any building frontage along a primary, secondary, or tertiary street that exceeds 160 feet to incorporate a building break of at least 30 feet in width and 10 feet in depth, every 160 feet, at the ground level. The break must be improved as a forecourt or open space and/or provide building access and connect with the existing city street grid.

**Response: The building length doesn't exceed 160 Feet.**

12. Provide parking calculations for the nonresidential component of the project.

**Response: Parking calculations have been provided on page A-005 and A-006**

13. Section 155.3708.K.1 for Reduced or Modified Off-Street Parking Standards requires that all developments, except single family detached dwellings and eating and drinking establishments, shall provide at least 80 percent of the minimum number of off-street parking spaces required per Table 155.5102.D.1, Minimum Number of Off-Street Parking Spaces. The parking calculations on sheet A-005 indicate fewer spaces than the 80% required parking.

**Response: Acknowledged. We have more parking than required now. See page A-005 and A-006**

14. The Pervious Area calculations on sheet A-005 indicates 17% pervious area for the project. Provide a pervious area diagram, consistent with the calculations. Verify that any landscape area underneath the building or building overhang is not included in the pervious calculations.

**Response: Landscape area underneath the building isn't included in the pervious calculations. See page A-081 for Landscape area calculations.**

15. The Street Setback data on sheet A-005 shows that the proposed building setback on NW 3 St is 21 feet, where a maximum allowable setback on this road is 20 feet, pursuant to Table 155.3708.G.2.b. Revise the plans to comply with the setback requirements.

**Response: Front Setback on NW 3<sup>rd</sup> street is now 20 feet. See page A-080**

16. Nonresidential ground floor: minimum 12-foot in height.

**Response: Nonresidential ground floor height is over 12 foot. See section page A-601**

17. The DPOD Street Development Regulating Diagrams are applicable to this project. Revise plans to reflect the components and dimensions shown on the applicable cross-sections.

**Response: Acknowledged. See civil street sections.**

18. Provide calculation indicating compliance with the requirements of Table 155.3709.I.2.b: Minimum Building Frontage (Active Use) Percentage per Street Type, for building frontage on a primary and tertiary street in the Edge Sub-Area.

**Response: Acknowledged. See Page A-005 and A-006**

19. A dimension for the building length was found along NW 3 St. Provide a dimension for building length along NW 7 Ave.

**Response: See page A-203 for Building dimensions.**

20. Provide figures indicating compliance with the minimum percentage of building within the build-to zone for each building.

**Response: Acknowledged**

21. Provide figures indicating compliance with the requirements for at least 70% transparent clear glazed area of not less than 70% of the facade area for ground-level non-residential active use.

**Response: Acknowledged. 70% transparent clear glazed will be provided.**

22. Identify where the 15% common, private open space is located for the building on the west side of NW 7 Ave.

**Response: Acknowledged. See page A-081 for calculations open spaces and pervious area.**

23. A Type B buffer is required along the north property line and must include a 6-foot wall or semi-opaque fence. Show the location of the required wall/fence on the site plan and provide a detail for the proposed wall/fence.

**Response: A type B buffer is provided along the north property line.**

24. It appears that the survey that was submitted includes parcels that are not within the project boundary. Provide a survey that covers the project site without extra parcels.

**Response: Acknowledged**

25. A Unity of Title is required for the project approval.

**Response: Acknowledged**

26. Section 155.5509: In all new development, all overhead utilities located on the development site and/or along the public right-of-way fronting the development site must be placed underground to the maximum extent practicable—provided that the Development Services Director can waive this requirement where the relevant utility company demonstrates that undergrounding will be detrimental to the overall safety and/or reliability of the circuit.

**Response: Acknowledged**

27. Clarify whether a vehicular access gate will be placed in the parking area. If a gate will be provided, show a dimension for the stacking distance, in compliance with Table 155.5101.G.8.b.

**Response: No gates will be provided.**

28. If a gate will not be provided, show the minimum required stacking distance of 50 feet, pursuant to Table 155.5101.G.8.b, where the stacking lane distance is measured from the intersection of the driveway with the street right-of-way, along the centerline of the stacking lane, to its intersection with the centerline of the first entrance into a parking space.

**Response: No gates will be provided.**

29. The requirements of Section 155.3501.M, TO Exterior Lighting Standards are applicable to this project. For DRC submittal, provide an exterior lighting/photometric plan in accordance with the requirements of this Section.

**Response: Photometric plans have been provided.**

30. Provide a dimension from the right-of-way line to the center line of NW 3 Street and NW 7 Ave on the site plan.

**Response: Acknowledged. See page A-080 for Right of Way dimensions to Centerline.**

31. Show all interior parking spaces with double striping.

**Response: No interior parking spaces is provided.**

32. Provide a plan that shows the locations of the building footers/foundation and how far they extend outward from the building. The intent is to minimize the impact of the footers to the green areas that are intended for landscape material.

**Response: Acknowledged.**

33. Pursuant to Section 155.3709.K, each residential development is required to set aside a minimum of 15% of their proposed units as affordable housing or contribute in-lieu-of fees of at least \$10,000 per unit in accordance with Chapter 154. Recently, the City adopted a policy to require the use of the

County's mixed income housing density bonus policies 2.16.3 or 2.16.4 for any project in the ETOC with 7 or more units. Payment of the in-lieu-of fees is not an option when applying policy 2.16.3.

**Response: Acknowledged**

34. The comments proffered at the pre-application conference are intended to provide guidance for submittals for Site Plan review by the Development Review Committee. The pre-application comments are preliminary and additional comments may be generated upon review of future submittals.

**Response: Acknowledged**

Engineering | David McGirr | [david.mcgirr@copbfl.com](mailto:david.mcgirr@copbfl.com) | 954-786-5514

1. NW 7 Ave. is required to have a 50' right-of-way. A right-of-way dedication will be required. TBD by city Engineer.

**Response: Site Plan and all civil drawings have been updated to show a 50' right-of-way.**

2. 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**

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

**Response: Acknowledged**

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

**Response: Acknowledged**

5. On plan sheet 043 PE-06 show truncated warning dome mats on the proposed off-site sidewalk where it intersects with driveways and public roadways. Place proposed COPB sidewalk warning dome mat construction detail drawing on the plans. Detail 318-1 ADA detectable warning mats.

**Response: Truncated domes have been added to the crosswalk/pavement intersections within the proposed public right-of-way.**

6. 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**

7. 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**

8. With the proposed construction please place a note on the PGD plan sheets 043 and 042 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.

**Response: Note has been added to the PGD sheets.**

9. Place note on landscape plans as per City Ordinance(s) §50.02(A) (4) and §100.35(E), that 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. Also, please note that no trees, shrubbery or obstruction shall be placed within a 3' radius of a City-owned sewer lateral cleanout or water &/or reuse meter. 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. Contact Tracy Wynn GIS Coordinator Engineering Div. for Utility information. 954-545-7007 tracy.wynn@copbfl.com Engineering Standard street tree detail 316-1 and 315-1.

**Response: Notes added to planting plans LA.200 and LA.201.**

10. MLK Blvd. was a recent GO Bond Street Scape Project please move the water and sewer connections to NW 7 Ave. NW 7 Ave. has an existing 8" watermain and existing sewer laterals.

**Response: All the water and sewer connections have been relocated to NW 7<sup>th</sup> Ave. The existing 8"x6" reducer is now shown on the water main in NW 7<sup>th</sup> Ave.**

11. PGD plan sheets 042 and 043 show valley gutter within the entire right of way of the project and no drainage structures. All the rainwater runoff will end up at the properties to the north which will cause flooding. Per CO 100.38 you can only pave 50% of the city right-of-way. If paving more than 50% drainage will be required within the right of way. 100.38 DRAINAGE OF PUBLIC RIGHT-OF-WAY

- 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.
- 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.

**Response: Since NW 7<sup>th</sup> Ave drains toward the north, we have provided two flumes within the curb line leading to Type C inlets, which are to be connected with drainage pipe and exfiltration trench in between these two structures. Please refer to updated PGD Plan.**

12. Submit / upload the 2022 City Engineering standard details for the proposed off-site water, sewer connections, road restoration, paving, curbing and sidewalks. These detail drawings may be obtained in pdf format from the City's website [www.pompanobeachfl.gov](http://www.pompanobeachfl.gov) under departments /engineering.

**Response: Detail sheets have been added to the plan set with the appropriate details.**

13. Please note on civil plan sheet 006 C-2 that any existing water and/or sewer connection to the subject lots not utilized must be cut and capped at the water main if a water service and cut out and sleeved if a sewer lateral. Sewer Laterals that are cut and capped will need to be as-built per our engineering as-built standards.

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)

**Response: This note has been added to the Utility Plan sheets.**

14. Please provide a narrative response to these review comments (if applicable), see markups (if referenced) and clearly show changes on plans using clouded details and delta revision marks as necessary. 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.

**Response: This is the response letter to the comments**

BSO

Tony Russo; [Anthony\\_russo@sheriff.org](mailto:Anthony_russo@sheriff.org); 561-917-4556 | Patrick Noble; [Patrick\\_noble@sheriff.org](mailto:Patrick_noble@sheriff.org); 954-709-7006

*Advisory Comments*

1. 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.

**Response: Architect of record is providing a complete CPTED plan in this submittal on sheet A-801.**

2. 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.

**Response: Understood**

3. ATTENTION IMPORTANT: As per code 155.2407.E.9., at the time of permit submittal, the CPTED security strengthening drawing plan and separate CPTED security strengthening drawing plan narrative shall both be submitted as part of the requirements for planning & zoning review and approval.



**Response: Plan and narrative are provided on sheet A-801.**

4. ATTENTION IMPORTANT: Participation in the BSO No Trespassing Program is required. If this site is already on the program, then additional signage may be necessary along with an updated affidavit signed by authorized personnel. Please contact the BSO Pompano Beach C.P.T.E.D Advisor regarding placement of the No Trespass Signs.

**Response: Will comply.**

5. ATTENTION IMPORTANT: 155.2407.E(9) Site Plan Review Standards Complies with crime prevention **\*\*Security Strengthening and CPTED Standards\*\***, this requires both to be addressed. Security cameras help deter and protect property and persons from theft, burglary, robbery, and other violent crimes.”

**Response: Security camera locations are shown on CPTED plan sheet A-801.**

6. Note: DRC Comment Responses such as “Acknowledged”, “Understood” or “Noted” are ambiguous & do not clarify compliance. Please issue Comment Responses in the Affirmative such as “Will Do”, “Will Be Done” or “Will Comply”. Additionally, the author of your CPTED NARRATIVE should provide their name & contact information on the document. This would help to expedite any necessary communication.

**Response: Understood. The author of CPTED narrative is the architect of record who signed and sealed the plan.**

7. For preliminary application reviews only (PAM): Please note that all comments made by the Broward Sheriff’s Office regarding your plan are preliminary only, as additional C.P.T.E.D & security strengthening attributes may be required as development progresses.

**Response: Please refer to CPTED plan on sheet A-801.**

8. Please see below for CPTED & security strengthening conditions to be incorporated into your CPTED plan & required for approval:

**Response: Acknowledged**

#### *Comments*

1. Territorial Reinforcement and Access Control - Trespass, Wayfinding, Ground Rules & Other Signage:
  - A. Submit a Broward Sheriff’s Office No Trespass Program Affidavit simultaneously with the application.

**Response: The Broward Sheriff’s Office No Trespass Program Affidavit will be submitted during permitting process.**

- B. Post sufficient “Broward Sheriff’s Office No Trespass” signage so that it is readily available at all entrances and all sides of the property: North, South, East, and West.

**Response: Will be done**

- C. Post BSO Trespass signs prominently with bottom edge of sign at approximately a minimum of 6' foot height from ground level for clear unobstructed viewing throughout property and from the site perimeter lines. Secure robustly using sturdy fasteners at all corners to help prevent vandalism.

**Response: Noted**

- D. Property Rule signage language must be clear and prominently posted in appropriate areas listing clear policies and regulations regarding authorized legitimate activities and/ or unauthorized prohibited activities on the property. This helps to prevent, deter and/ or reduce disturbances and/ or violations that would otherwise occur and lead to avoidable and unnecessary calls for police response.

**Response: Noted.**

- E. Way-Finding signage must be clear and prominently posted in appropriate areas indicating safe directional travel routes to warn and avoid users from getting confused and wandering into potentially unsafe and dangerous areas that might expose them to increased safety and security risks.

**Response: Noted**

## 2. CPTED Lighting Standards:

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

**Response: Noted. See photometric plan on sheet A-802.**

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

**Response: Noted. See photometric plan on sheet A-802.**

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

**Response: Noted. This has been considered in the making of the CPTED plan on sheet A-801.**

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

**Response: Noted. This has been considered in the making of the CPTED plan on sheet A-801.**

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

- A. For Commercial & Industrial, all solid exterior doors must have a see-through reinforced security window, or an audible/ video intercom pager including service doors, garage, or bay doors (if any), etc. This feature provides an opportunity to monitor and surveil the exterior prior to exiting to avoid being ambushed upon exiting. This also provides an opportunity to visually identify and screen visitors in the event of an attempted criminal ruse entry such as by a fake Delivery Driver, UPS/ FEDEX, Utility Worker, etc. Criminal incidents of theft, burglaries and robberies can have very deadly consequences, so strategically planning and designing defenses ahead of time to prevent or deter these incidents is vital for safety and security.

**Response: Noted. Refer to architectural renderings on sheet A-902 & A-910 showing the use of safety glass exterior doors.**

- B. For Residential, (Homes, Apartments, Condos, Hotel, Motel, etc.) all solid exterior doors must have a see-through reinforced security window or at the minimum a 180-degree wide angle door viewer (peephole). This feature provides an opportunity to monitor and surveil the exterior prior to exiting to avoid being ambushed upon exiting. This also provides an opportunity to visually identify and screen visitors in the event of an attempted criminal ruse entry such as by a fake Delivery Driver, UPS/ FEDEX, Utility Worker, etc. Criminal incidents of theft, burglaries and robberies can have very deadly consequences, so strategically planning and designing defenses ahead of time to prevent or deter these incidents is vital for safety and security.

**Response: Noted. Refer to architectural renderings on sheet A-912 showing the use of safety glass exterior doors.**

- C. Any existing or future fencing anywhere on the site should be CPTED oriented such as metal rail bars with 'see-through' spacing to maintain critical Natural Surveillance. Note that hollow aluminum is weak and is easily bent/ pried to facilitate climbing through so steel is much preferred.

**Response: Noted. Refer to architectural renderings on sheet A-908 showing the use of see-through fence.**

- D. Fences, gates and / or any exterior ground level architectural abstract design features should not have easily accessible horizontal bars that could be used to facilitate climbing over and breaching any security fencing. Use narrow spacing between vertical bars to prevent providing footholds.

**Response: Noted. Refer to architectural renderings on sheet A-908 showing the use of see-through fence.**

- E. Solid walls (if any), specifically those used as perimeter / privacy boundaries, should not have a flat top and should be designed with an angled, beveled, curved or otherwise shaped top to deter easy climbing over which is a potential trespassing/ breaching vulnerability, and/ or to deter sitting and loitering upon which could also be a potential fall and injury hazard. Signage prohibiting trespass or sitting upon walls should be included in the design as necessary.

**Response: Do not apply.**

- F. Solid walls (if any) that are low to the ground & used as symbolic barriers should have a topside shape to prevent the potential for misuse, damages &/or vandalism inflicted by skateboarding, rollerblading, bicycling, etc. Examples of such shapes include, but are not limited to angled, curved, ridged, beveled &/or incorporated with cleats, intermittent spacing or other architectural design to dissuade such unauthorized activity.

**Response: Do not apply.**

- G. All exterior doors must have non-removable door hinge pins, and it is recommended to include the capacity for electronic door position switches to signal a security alarm system that a door, which should not have been opened, has been opened and breached. Occupants or the alarm company will then investigate and/ or address any emergency accordingly.

**Response: Noted**

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

**Response: Do not apply.**

- I. For Residential (Homes, Townhomes, Apartments, Condos, etc.) exterior yards that are enclosed with a fence should have a lockable gate to increase territoriality & to deter trespassing, theft, burglaries, etc.

**Response: Do not apply.**

4. Security Strengthening - Burglar Security Alarms/ Safes – Physical & Mechanical Security Strengthening:

- A. For Commercial and Industrial: Install hard wired burglar security alarms and safes at any commercial property, retail businesses and residential management offices, and/ or wherever valuables of any kind are stored such as cash, jewelry, electronic equipment such as computers, monitors, and any other costly inventory, including potentially sensitive or personal or business identification documents, electronic files or financial information etc., that are frequently targets of theft, frauds, burglaries and robberies. Alarms must be monitored and activated whenever businesses are closed, or all personnel are out of the building offices.

**Response: Will do.**

- B. For Residential only: Install hard wired burglar security alarms, or at the minimum prewire each residential unit for burglar alarms as residential units are often targets of thefts, frauds, burglaries, robberies, etc. Safes are also strongly recommended.

**Response: Will do.**

- C. For Commercial and Industrial: Burglary / Intrusion / Sensor alarms must be activated whenever the business is closed, or all authorized personnel are out of the business.

**Response: Noted**

- D. For Commercial including COMMERCIAL RESIDENTIAL/ Hotels/ Retail/ Multi-Family with Security/ Front Desk Receptionists / Hosts (if any): Install a fixed concealed silent panic duress alarm at main entrance AND a portable lanyard for redundancy in the event the fixed alarm is compromised due to the fixed alarm post being vacant, or for any serious incident such as an active killer or other emergency. Additional portable duress alarm activators must be provided to employees that are assigned to work on the exterior of business such as drive-thru lanes, curbside service, exterior dining, etc.

**Response: Do not apply.**

- E. For Commercial including COMMERCIAL RESIDENTIAL/ Hotels/Retail/ Multi-Family with Security/ Front Desk Receptionists / Hosts (if any): Areas designated for employee & customer transactions such as a reception desk, counter tops &/or bar should be designed with a clear delineation &/or enclosure separating public from private areas. The purpose is to deter the accidental or intentional trespass into a restricted area & to prevent unauthorized persons from gaining access to property, valuables, sensitive equipment, etc. This also provides a greater sense of security for employees utilizing the space.

**Response: Do not apply.**

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

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

**Response: See Garbage Collection & On-site Circulation on sheet A-082, we do not have trash enclosures, we provide instead trash rooms.**

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

**Response: The trash room is interior and only accessible from the building manager and the resident with a key.**

- C. Bottom gate clearances must be 8" above the ground for viewing underneath to deter loitering and trespassing inside the enclosures, and to deter/ prevent the enclosure from being used as concealment/ ambush for a more serious crime such as a violent robbery, sexual assault/ battery, etc.

**Response: No gate is provided.**

- D. If there is a pedestrian passageway into the dumpster enclosure it must have the lockable gate which remains closed and locked except when in active use by authorized persons.

**Response: Do not apply.**

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

**Response: Will provide.**

F. Dumpster areas must be secured with Access Control and video surveillance.

**Response: Do not apply.**

G. Enclosed trash rooms must be secured with Access Control & video surveillance.

**Response: Will provide. See CPTED plan on sheet A-801 showing camera coverage of access to trash rooms.**

H. Enclosed trash rooms must have vandal resistant motion-sensor security lighting to illuminate the area when in use.

**Response: Noted**

6. Key Security: Access Control and Security Strengthening (For businesses with numerous keys on site such as residential or commercial management offices, warehouses with numerous vehicles, trucks, etc., valuable assets on site including equipment, tools, supplies, etc., property management offices, realtors, car dealerships, restaurants, valets, etc.):

A. Describe access key control security system - general description (examples: mechanical lockbox, electronic access, keycard, biometric, facial recognition, etc.), avoid specific location of key storage safe.

**Response: Electronic access to apartment will be done via key fobs to residents. Visitors will be provided access by residents via call boxes.**

B. Key security office/ room/ key storage closet door must have an alarm and robust mechanical locking system.

**Response: Noted**

C. A surveillance camera must monitor the office key storage area.

**Response: Noted**

D. Management office door must have a security viewer (peephole) or reinforced security window.

**Response: Do not apply.**

7. Parking Garage &/ or Lot, and Adjacent Access Egress and Perimeters:

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

**Response: Will do.**

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



**Response: Do not apply.**

- C. Explain how this development will securely operate the parking lot/garage (if any), &/ or lot Access Control systems to deter tailgating /“piggybacking” by non-legitimate unauthorized users and dangerous trespassers from breaching inside private property to burglarize, steal cars, commit robberies, sexual assaults & batteries, etc.

**Response: Surface parking is not gated, but brightly lit and monitored via camera systems.**

- D. (Only if applicable such as with a garage) Use highly reflective light color paint for covered parking areas &/or multi-level parking garages to increase the overall amount of natural & artificial light.

**Response: Do not apply.**

8. (Only if any) Enclosed Parking Garage Emergency Blue Light Call System – Security Strengthening:

- A. Locate the Blue Light Call Assistance System or an equivalent Emergency Call System in all garage levels for emergency assistance. Place near elevators and staircases, including any remote staircases. Blue Light / Emergency Call Box and surrounding area must be under video surveillance.

**Response: No enclosed parking garage is provided.**

9. Graffiti Maintenance – CPTED:

- A. Commercial, Industrial and Multi-Family Residential exterior wall surfaces along the building perimeter must be treated with graffiti resistant resin up to 8 feet to prevent vandalism. Graffiti vandalism is chronic these days and therefore becomes very expensive to repeatedly address. It leads to unsightly blight conditions, and often also costly Code Enforcement violations, therefore incorporating it into the project beforehand is financially strategic and vital to project sustainability.

**Response: Will do.**

10. Electronic Surveillance – Security Strengthening:

ATTENTION: Proposed camera and monitoring locations will be coordinated with a security and access control consultant and the Broward Sheriff’s Office CPTED reviewer **prior** to permitting. planning and installation of the surveillance monitoring system must include field input from experienced CPTED/ security strengthening law-enforcement to ensure optimal results.

- A. Install video surveillance of all private and commercial residential including all apartments, townhomes, condominiums, gated communities, motels, hotels, etc., all commercial wholesale and retail businesses including restaurants, shopping plazas, entertainment businesses, etc., industrial developments, buildings, etc.

**Response: Will do.**

- B. Ensure electronic surveillance cameras and monitors are strategically located for maximum active and passive observation. Show sight “cones” indicating comprehensive coverage. Monitors must be strategically located for maximum overlapping active and passive observation. Placement in strategic locations is to increase surveillance and reporting of suspicious or illegal activity including dangerous incidents. Large monitors are recommended for optimal viewing. They should be placed strategically wherever they would receive the most viewing from personnel traffic such as at the manager’s office, front desk, lobbies, etc.

**Response: Zones covered with cameras are shown with hatched areas on CPTED plan sheet A-801.**

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

**Response: Will do.**

- D. Ensure video surveillance at all exterior building entrances. Include an audible/ video intercom and call system for example at main entrance.

**Response: Will do.**

11. Miscellaneous: CPTED & Security Strengthening:

- A. Place bike storage racks (if any) close to the main access doors providing convenience and maximum Natural and Electronic Security Surveillance.

**Response: Large open and well-lit area are provided for bike racks across driveway to main lobby entrance.**

- B. If the building/ development has a Wi-Fi system, it needs to be encrypted and password protected. An open Wi-Fi system will attract non-legitimate users to loiter and use the open free Wi-Fi.

**Response: Will do.**

- C. Elevator (if any) - Access Controlled by 1st floor FOB, include blind spot convex mirrors and electronic surveillance and a panic button.

**Response: Will do.**

- D. Exterior bench seating (if any) for public use should be CPTED orientated to include spacers / dividers to deter loitering, trespassing, sleeping, vagrancy, etc.

**Response: Do not apply.**

12. The CPTED Narrative in the DRC or PAM Documents folder & the CPTED Narrative in the DRC or PAM Drawing folder should be synonymous. Please include the above stated CPTED & Security Strengthening measures onto both the Drawing Document & Narrative Document when re-submitting into the Pompano ePlan.

**Response: Above stated CPTED & Security Strengthening measures have been added to CPTED sheet A-801.**

Building | Todd Stricker | [todd.stricker@copbfl.com](mailto:todd.stricker@copbfl.com)

## Advisory Comments

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

**Response: Acknowledged**

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

**Response: Acknowledged**

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

**Response: Noted**

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

**Response: Noted**

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

**Response: Will do.**

6. City Ordinance 152.25(A) Site plans and construction documents, Information for development in areas with base flood elevations. The site plan or construction documents for any development subject to the requirements of the floodplain regulations shall be drawn to scale and shall include, as applicable to the proposed development all sections from: City Ordinance 152.25 (A)(1) thru City Ordinance 152.25 (A)(7). Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development, etc. residential buildings shall comply with City Ordinance 152.29(C)(1)(A) .

**Response: BFE has been considered in the building design, see sheet PE-05 showing FFE of building at 12.00 NAVD.**

7. FHA Title VIII of the Civil Rights Act of 1968, commonly known as the Fair Housing Act, prohibits discrimination in the sale, rental, and financing of dwellings based on race, color, religion, sex, and national origin. In 1988, Congress passed the Fair Housing Amendments Act. The Amendments expand coverage of Title VIII to prohibit discriminatory housing practices based on disability and familial

status. Now it is unlawful to deny the rental or sale of a dwelling unit to a person because that person has a disability.

**Response: Acknowledged**

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

**Response: Acknowledged**

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

**Response: Acknowledged**

10. FBC A206.2.1 Site arrival points. At least one accessible route shall be provided within the site from accessible parking spaces complying with FBC A502 and accessible passenger loading zones complying with FBC A209; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve.

**Response: See sheet A-080 for accessible route within the site from accessible parking spaces.**

11. 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.

**Response: Acknowledged**

#### Comments

1. FBC\_BCA 107.1 As per the building official, separate building applications will be required for erosion control, site work, temporary fences, monumental signage and miscellaneous site structures.

**Response: Acknowledged**

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 1029.1 In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue openings in Group R-2 Occupancies in accordance with Tables 1021.2(1) and 1021.2(2) and Group R-3 Occupancies. Basements and sleeping rooms below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening in accordance with this section.

**Response: Understood. Bedrooms will have at least one exterior emergency escape and rescue opening in accordance with this section.**

7. 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.

**Response: Acknowledged. The life safety plan will be provided for building permit.**

8. 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**

9. 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.

**Response: Acknowledged**

10. 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**

11. 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**

12. 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**

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

**Response: Acknowledged**

14. 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**

15. 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.

**Response: Acknowledged**

16. 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**

17. FBC A208.2.3.3 Parking for guests, employees, and other non- residents. Where parking spaces are provided for persons other than residents, parking shall be provided in accordance with table 208.2



**Response: Acknowledged**

18. FBC A502.6 The enforcing agency will require parking space identification comply with the following code: signs shall include the international symbol of accessibility complying with FBC A703.7.2.1. Signs identifying van parking spaces when required By FBC A502.2 shall contain the designation "Van Accessible." Reference Engineering Standard 300-5.

**Response: Acknowledged**

19. 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.

**Response: Acknowledged**

20. FBC 3303.5 Water Accumulation. The enforcing agency will require provisions be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property.

**Response: Acknowledged**

21. 1804.4 Site Grading. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than one unit vertical in 20 units horizontal (5-percent slope) for a minimum distance of 10 feet measured perpendicular to the face of the wall. If physical obstructions or lot lines prohibit 10 feet of horizontal distance, a 5-percent slope shall be provided to an approved alternative method of diverting water away from the foundation. Swales used for this purpose shall be sloped a minimum of 2 percent where located within 10 feet of the building foundation. Impervious surfaces within 10 feet of the building foundation shall be sloped a minimum of 2 percent away from the building.

**Response: Acknowledged**

22. FBC\_BCA 110.13.2.1 It shall be the joint responsibility of any owner of real property upon which construction is occurring, and any contractor responsible for said construction, to ensure that all road rights-of-way remain free at all times of all construction waste and trash resulting from such construction, and that all waste and trash resulting from the construction are contained on the real property upon which the construction occurs.

**Response: Acknowledged**

23. FBC\_BCA 109.3 Building Permit Valuations. The applicant for a permit shall provide an estimated permit value at a time of application. Permit valuations, shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems.

**Response: Acknowledged**

24. FBC\_BCA 110.8.5.4 All plans for the building which are required to be signed and sealed by the architect or engineer of record contain a statement that, to the best of the architect's or engineer's knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this section and chapter 633, Florida Statutes.

**Response: Acknowledged**

Planning | Max Wemyss | [max.wemyss@copbfl.com](mailto:max.wemyss@copbfl.com)

1. Land use for this parcel is currently DPTOC. Based on the use-regulating plan the property is within the TO-Edge sub-area, Mixed-Use Main Street Use Area, minimum density of 12 du/acre and maximum density of 18 du/acre by right, maximum height or 35 feet by right, with MLK as a primary street and NW 7th Ave as a Tertiary Street, with a designated greenway along the north end of the development.

**Response: Design bonus for the west parcel and height bonus for both east & west property are requested.**

2. The application requesting to construct 64 unit mixed-use development, 2,000 square feet of retail/commercial. The land use requires affordable housing a minimum of 15% of the proposed units must be affordable housing, and in accordance with Resolution 2022-185, the applicant must utilize Broward County Policy 2.16.3 or 2.16.4 for the residential entitlements. The property is 1.26 acres in size, prior to dedication.

**Response: The program has changed, 32 units are now provided with 4,800 SF of Retail.**

3. The property appears platted: NELSON PARK Book 2- Page 95, Tuxedo

**Response: Acknowledged**

4. Park Book 18 – Page 19. Provide the Plat and Plat Notes for both Plants and a Plat Determination Letter specifying that replatting is not required for this specific application.

**Response: Acknowledged**

5. ROW Dedications to be required (consistent with Zoning Division Requirement, DPOD Street Development Regulating Diagrams)

**Response: Acknowledged**

6. Prior to building permit approval, a School Capacity Availability Determination (SCAD) letter from the Broward County School Board must be provided to confirm that student capacity is available.

**Response: Acknowledged**

7. The city has sufficient water and wastewater treatment plant capacity to accommodate the proposal.

**Response: Acknowledged**

8. The City will use County Policy 2.16.4 (see below) to generate the residential entitlements for this project. Because it's located within an Activity Center and is not on a County "Qualified Road", no specified amount of mixed use is required to allow the use of this policy which generates the units by right as long as 15% is set aside for affordable housing. Policy 2.16.4 does allow for a buy-out of the affordable requirement at a cost of \$10,000 for every unit in the project. This amount will escalate 3% on January 1st of every year.

**Response: Acknowledged**

9. Please specify unit sizes in tabular data and distribute the affordable units in the same proportions as the project as a whole per 2.16.4.

**Response: Unit size and average are provided on sheet A-202. The owner may elect to buy out affordable requirements.**

POLICY 2.16.4 Within parcels located west of and including US 1\*, and designated “Commerce” on the Broward County Land Use Plan and fronting with direct access to a roadway classified as a State road, County arterial, per the Broward Highway Functional Classification map, or other road or portion thereof, as approved by the Board of County Commissioners, herein after referred to as a “Qualified Road,” or within a parcel designated “Activity Center,” multi-family residential use is permitted in addition to that permitted otherwise in those designations by this Plan, subject to the following:

10. One or more of the affordable housing categories, as defined by this Plan, must be a component of the residential development based on the following “bonus” units to “affordable” unit formula(s) described below:
- Moderate income: six (6) bonus units for every (1) one moderate income unit.
  - Low income: nine (9) bonus units for every (1) one low-income unit.
  - Very-low income: nineteen (19) bonus units for every (1) one very-low income unit.

**Response: Acknowledged**

11. Each required affordable housing unit must be no smaller than ten percent (10%) less than the average gross floor area of each bonus unit corresponding type (i.e., one-bedroom, two-bedroom, three-bedroom, etc.) in the development project; **or** The number of bedrooms/bathrooms provided in the affordable units must be proportional to the number provided in the bonus units type (i.e., one-bedroom, two-bedroom, three-bedroom, etc.).

**Response: Acknowledged**

12. Single-family dwelling units are not permitted. Residential units shall not be permitted on the ground floor portion of any building that fronts a Qualified Road. As per Policy 2.2.5 of the Broward County Land Use Plan, studio or efficiency housing units, no greater than 500 square feet in size, may be counted by the local government as 0.5 dwelling units for residential density purposes.

**Response: Acknowledged**

13. These additional permitted residential density provisions are conditioned on the developer or purchaser providing, in a manner acceptable to the affected unit of local government, guarantees, at a minimum through the use of restrictive covenants, that the affordable unit(s) will be maintained as affordable to the applicable designated income group(s) for a minimum period of thirty (30) years.

**Response: Acknowledged**

14. Within a development containing residential units, the following shall apply:

Office and commercial use may either be vertically or horizontally integrated providing the following:

- At least fifty percent (50%) of the ground floor of any portion of a building or development, excluding ingress and egress, facing a Qualified Road shall provide office and/or commercial uses;

- Portions of a development not facing a Qualified Road within an Activity Center is not required, but encouraged, to provide for office and/or commercial uses.
- On parcels greater than five (5) acres, a minimum of ten percent (10%) of the gross floor area, excluding parking garages, must be reserved or utilized for office and/or commercial uses not ancillary to the residential units.

**Response: Acknowledged**

15. “Affordable unit” requirements may be satisfied via an in-lieu payment to the Broward County Affordable Housing Trust Fund\*\* equal to \$10,000 per unit for the total number of units within the development which sum shall increase by 3% annually.

**Response: Acknowledged**

16. Units of local government may utilize the additional permitted residential density provisions described in this Policy, at their option, regardless of whether such provisions or conflicting provisions are incorporated within their certified local land use plan elements and utilization of these provisions does not require an amendment to the Broward County Land Use Plan map or local land use plan map.

**Response: Acknowledged**

17. Local government utilization of the additional permitted residential density provisions described in this Policy is subject to the following, as enforced by the applicable local government: (a) One hundred percent (100%) of the “affordable” units shall be available for occupancy before the final twenty- five percent (25%) of bonus units are available for occupancy.

**Response: Acknowledged**

18. In addition to the provisions of this Policy, parcels designated “Commerce” and meeting the location, frontage, and access requirements of this Policy or within an Activity Center, where the residential development will be located within ¼ mile of a State road, County arterial, or other road or portion thereof, as approved by Board of County Commissioners (“Board”), the Board shall consider the following in the review of funding applications submitted by local governments for future public infrastructure and economic development projects:

- A. Local government adoption of this Policy into the municipal Comprehensive Plan;
- B. Local government adoption of specific regulations, in the municipal zoning and/or land development code, to allow allocation of additional residential density units as a permitted use, by right, within specific zoning district(s);
- C. Local government adoption of specific regulations to implement the provisions and criteria of this Policy, including:
  - Establishment of a minimum net residential density of twenty-five (25) dwelling units per acre;
  - Where a building is located within 100 feet of any parcel which prohibits, through the applicable zoning regulations, residential development of ten (10) dwelling units per gross acre or more, the local government may establish a maximum building height limit of not less than five (5) stories; and
  - The zoning regulations that establish reduced on-site parking to accommodate the mixed uses.

- The Urban Planning Division, in consultation with the Office of the County Attorney, must certify that all the foregoing requirements of this Section (9) have been satisfied.

**Response: Acknowledged**

19. Units of local government may be more restrictive and are not required to adopt, utilize or implement the above referenced Policy.

Includes all parcels that front and have direct access to US 1 and, at the option of the applicable municipality as a permitted or special exception use, on parcels east of US 1 and west of the Intracoastal Waterway, provided the municipality makes a finding that the additional dwelling units on said parcels will not negatively impact hurricane evacuation clearance times and/or emergency shelter capacities. A local government is not required to apply this Policy to properties east of US 1 in order to be eligible for funding consideration by the Board of County Commissioners pursuant to Section (9) herein.

Fifty percent (50%) of in lieu fees may be paid into an Affordable Housing Trust Fund of the applicable municipality, provided the municipality requires said monies to be used for the construction of new affordable units or home repair. All in-lieu payments shall be made at the time of issuance of building permit.

**Response: Acknowledged**

Waste Management | Beth Dubow | [beth.dubow@copbfl.com](mailto:beth.dubow@copbfl.com) | 954-545-7047

1. Provide a narrative explaining how the garbage is going to be handled for this site.

**Response: See page A-082, Garbage collection & on-site circulation**

2. Please provide a garbage collection plan that shows the route from the trash rooms to an acceptable staging area so that the containers can be serviced. Currently the plans appear to have one trash room (residential) and none for the commercial/retail use.

**Response: See page A-082, Garbage collection & on-site circulation**

3. Ensure the garbage collection plan also shows the path a garbage truck would need to take in order to safely service this site.

**Response: See page A-082, Garbage collection & on-site circulation**

4. Provide a circulation plan that shows all the turning radii MEASURED IN FEET (not auto-turn) along the path a garbage truck would need in order to provide service to all buildings on this site. Minimum inside radii are 35 feet; minimum outside radii are 50 feet.

**Response: See page A-082, Garbage collection & on-site circulation**

5. It appears that the trash room opens up to an area adjacent to the sidewalk and driveway, but there is no clearly designated area on the plan for garbage collection and service.

**Response: See page A-082, Garbage collection & on-site circulation**

6. A garbage truck must have access on-site (not in the right-of-way or driveway) in order to safely service the containers.

**Response: See page A-082, Garbage collection & on-site circulation**

7. It is highly suggested that this multi-story building has a trash compaction system for the 60 residential units in the trash room on the ground floor.

**Response: See page A-082, Garbage collection & on-site circulation**

8. The four townhouse units are permitted to have cart service. Please designate staging area(s) on the swale adjacent to NW 7th Avenue for a minimum of four garbage carts (eight carts total if these units have recycling collection).

**Response: See page A-082, Garbage collection & on-site circulation**

#### Advisory Comments

1. Recycling collection is not required, but it is highly encouraged. Commercial recycling collection service may be obtained from a recovered materials hauler. Rental apartments are considered commercial use as it pertains to garbage/recycling collection.

**Response: See page A-082, Garbage collection & on-site circulation**

2. 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 (Coastal Waste and Recycling 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: See page A-082, Garbage collection & on-site circulation**

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

**Response: Acknowledged**

Should you have any questions, please do not hesitate to contact me at 954-202-7000. Thank you for your time and kind consideration with regards to this matter.

Sincerely,

Thomas Engineering Group