

August 18, 2022

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

**Re: Pompano Park Place 3885 N Federal Hwy**  
**PZ22-12000030**  
**Pre-App Comments**

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

**Zoning – Saul Umana – [saul.umana@copbfl.com](mailto:saul.umana@copbfl.com)**

1. This project is subject to Major Site Plan approval and Building Design approval.

**Response: Acknowledged and noted.**

2. Project is located on Federal Highway - Corridor suggestions apply. The project is being reviewed as whole with the southern already developed property.

**Response: Acknowledged, an Overall Site Plan (sheet C-4.0) has been provided as part of this submittal.**

3. The Zoning regulations of Section 155.3304. General Business (B-3) are applicable. Provide tabular data for site as whole. Staff recommends making a table with data for the new site and the overall site.

**Response: Tabular data for the entire parcel has been provided on the Overall Site Plan (sheet C-4.0).**

4. The regulations of Section 155.4303. Outdoor Seating are applicable. Provide information on the number of outdoor seats.

**Response: 24 seats are contemplated for the outdoor seating area. The outdoor seating area will comply with the regulations of Section 155.4303.**

5. Provide measurement of driveway at the entrance and include the sight triangle measurement on all proposed driveways. Revise measurements in all internal driveways.

**Response: Dimensional measurements and sight triangle measurements have been provided on all proposed driveways.**

6. Table 155.5102.D.1. Minimum Number of Off-Street Parking Spaces. The minimum number of parking spaces required for an eating or drinking establishment is 1 per 4 persons of maximum occupancy capacity of customer service area(s). However, the Parking/Site Data shown on the Site Plan indicates that the required parking was calculated at 1 space per 4 seats. Revise the parking calculations to calculate the correct number of required parking spaces.

**Response: Noted. The parking calculations have been revised accordingly please refer to the parking calculations on sheets C-4.0 and C-5.0.**

7. Provide the amount of parking spaces for the outdoor seating and add this to the tabular data. 1 per 8 persons of maximum occupancy capacity of outdoor seating area.

**Response: Noted. The parking calculations have been revised accordingly please refer to the parking calculations on sheets C-4.0 and C-5.0.**

8. Section 155.5102.D.5. Maximum Number of Off-Street Parking Spaces. For any use listed under the commercial use classification in Table 155.5102.D.1, Minimum Number of Off-Street Parking Spaces, the number of off-street parking spaces must not exceed 125 percent of the minimum number of parking spaces required, except as may be allowed through approval of an alternative parking plan in accordance with Section 155.5102.J.2, Provision over Maximum Allowed. Since the site is plans is being reviewed as a whole with the rest of the site, provide overall calculations of parking.

**Response: Per the parking calculations provided on the Overall Site Plan (sheet C-4.0), the overall site is required to provide 74 spaces. The overall site will provide 75 spaces, a surplus of one (1) parking space.**

9. The folio for this project includes a vacant lot in RS-4. Provide clarification of the intent of this property. Site will need to brought into compliance.

**Response: The applicant is not intending to develop this property and is exploring options to dispose of this parcel, including a sale to the adjacent residential property owner. The applicant is proposing the removal of the concrete/asphalt on this site and replacement with sod as part of this site plan.**

#### 10. Curbing

- a) Except for off-street parking areas serving single-family dwellings, or off-street parking provided within a Parking Deck or Garage, each off-street parking space shall include a continuous curb.

**Response: Acknowledged, continuous curbing has been provided throughout the site.**

- b) The vehicular overhang area shall be no more than 2½ feet wide and shall not be credited toward any required sidewalk or landscape areas. Wheel stops are not permitted (except for ADA Parking - show the overhang on the parking)

**Response: Noted.**

- c) \*Show the overhang on the parking on the southern edge (extending sidewalk to 2 ft ) / delineate the overhang to meet the wheel stop location of the ADA Parking Area\*

**Response: A 2-foot vehicular overhang has been added/represented to these parking stalls. As a result, the proposed sidewalk impacted by this overhang has been widened to 9-feet.**

#### 11. Markings

- a) Except for parking areas serving single-family dwellings, each required off-street parking area and space, and each off-street loading area and berth, shall be identified by double striping as well as other surface markings that are arranged to provide for orderly and safe loading, unloading, parking, and storage of vehicles. Such markings—including directional arrows, lettering on signs and in handicapped-designated areas, and labeling of the pavement—shall be maintained so as to be readily visible at all times.

**Response: Acknowledged, proposed pavement markings are in accordance with the standards set forth by Pompano Beach and other applicable jurisdictions. Please refer the sheet C-11.0 for further information regarding pavement striping.**

12. Provide dumpster enclosure architectural details.

**Response: Please refer to Sheet AS.2 for the Dumpster Enclosure Detail.**

13. Section 155.5802. Sustainable Development Point Requirement. Nonresidential and mixed-use development must achieve a minimum of 12 points from Table 155.5802 Sustainable Development Options and Points. Provide a list/table of proposed eligible options.

**Response: The Project is proposing to achieve a minimum of 12 points through use of the following items:**

- Hurricane Resistant Structures (4 points)
- Infill Development (4 points)
- Overhangs (2 points)
- White membrane roof (2 points)

14. Provide a different marking for the affected area line to not confuse with property line.

**Response: The line depicting the affected area boundary has been revised.**

15. Provide Fenestration calculation on the north elevation.

**Response: Please refer to Sheet A3.2 for the Exterior Fenestration calculation for the north elevation.**

16. Provide written response to comments

**Response: Acknowledged. A written response to each comment has been provided.**

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

1. Garbage trucks will need to turn around on site or travel through adjacent property to exit. Backing out onto NE 18th Terrace will not be allowed. Is there a cross-access agreement that will allow for the sharing of the drive aisles between this site and the adjacent property (to the south)?

**Response: The site layout has been modified to allow for the circulation of garbage trucks on-site. Additionally, the revised layout will not interfere with traffic along N.E. 18<sup>th</sup> Terrace. Please refer to the provided Circulation Plan.**

2. Garbage truck may block entrance off of NE 18th Terrace during collection service.

**Response: Please refer to response to comment #1 above.**

3. Place bollards inside the enclosure to protect the walls from rolling dumpsters during service.

**Response: Bollards have been provided inside of the enclosure.**

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

**Response: Noted.**

5. NOTE: Owners of a commercial property are responsible for securing garbage collection service directly from Waste Management, Inc. (as of this writing) or Coastal Waste & Recycling (starting October 1, 2022).

**Response: Noted.**

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

**Response: Acknowledged.**

7. 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: Noted.**

**Fire – Jim Galloway – jim.galloway@copbfl.com**

1. Provide a Hydrant Flow Test to determine the available water supply to this project. This test must be performed by a qualified company of the builder's choice. In addition, the static pressure at the water main shall be determined by a recorded method (i.e. 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: Results from a hydrant flow test have been provided as a part of this submittal.**

2. Provide Required Fire Flow Data for each proposed structure (this flow will either be the total flow required for a non-fire sprinklered building or the fire sprinkler/standpipe demands): Fire flow calculations are determined from square footage and construction type of structure. Refer to NFPA 1 chapter 18 for required fire flow, number/spacing of fire hydrants. Depending on the hydrant flow test results additional fire protection systems or change in construction type 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: Fire flow data has been provided. The secondary fire hydrant (located at the S.W. corner of N.E. 39<sup>th</sup> Street and N.E. 18<sup>th</sup> Terrace) is within the required 400ft distance of the proposed building.**

3. 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.**

4. Provide fire department apparatus access to within 50ft of front entry door required. (NFPA 1 2018ed Chapter 18 section 18.2.3.2)

**Response: Fire department access has been provided to be within 50-feet of front door entry. Please refer to the Circulation Plan.**

5. 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: A fire apparatus circulation plan has been provided. Please refer to the Circulation Plan.**

6. Provide greater detail for one-way 16ft turn in that is proposed. This turn may not be sufficient for a fire apparatus to turn off of right of way.

**Response: The one-way 16-foot turn-in along N. Federal has been widened to 20-feet to accommodate fire apparatus access and circulation around the site. Please refer to the Circulation Plan.**

**Planning – Daniel Keester – daniel.keester@copbfl.com**

1. The majority of the property is platted (North Pompano Beach Section A; Plat Book 29 Page 15), which was recorded prior to June 4, 1953. The site plan illustrates a new 2,575 square foot restaurant with 50 seats. It appears as though the proposed development would be exempt from

platting/ replatting; however, the Applicant may seek confirmation from the Broward County Planning Council through a platting determination letter.

**Response: A plat determination letter from the Broward County Planning Council has been provided.**

2. Land use for this parcel is Commercial (C), and the proposed use is permitted in the land use category.

**Response: Noted.**

3. The property is abuts NE 18th Terrace, NE 39 Street and N Federal Highway. The overall width of NE 39th Street is provided (60 feet), NE 18th Terrace varies, but includes a minimum of 25 feet to the centerline, and N Federal Highway is a total width of 120 feet (60 feet to the center line). NE 18 Terrace & NE 39 Street are not specifically listed in the Trafficways plan or Chapter 100 of the City's code, and thus given the transition from commercial to residential zoning designation from Federal into the neighborhood, the minimum of 60 feet width is required (30 feet to the centerline) and transitions to a minimum 50 feet width, as illustrated on the survey.

**Response: Noted.**

4. The property fronts onto N Federal Highway (AKA: US-1), which is identified on the Broward County Trafficways Plan. Both the Trafficways Plan & Chapter 100.01 requires a minimum of 120 feet for this roadway. The width of the right-of-way provided on the survey confirms compliance with the plans.

**Response: Noted.**

5. The city has sufficient capacity to accommodate the proposal.

**Response: Noted.**

6. Applicant may submit to DRC for a formal review.

**Response: Noted.**

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

1. Submit/ upload the (BCEPMGD) Broward County Environmental Protection and Growth Management Division Surface Water Management permit or exemption.

**Response: A BCEPMGD Surface Water Management permit will be applied for and provided accordingly.**

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

**Response: A BCOES utility permit will be applied for and provided accordingly.**



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

**Response: Noted.**

4. Submit / upload a sediment and erosion control plan for the subject project.

**Response: A sediment and erosion control plan has been provided for this project. Please see sheet C-2.0.**

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

**Response: A FDOT Access permit will be applied for and provided accordingly.**

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

**Response: A FDOT Drainage permit will be applied for and provided accordingly.**

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

**Response: If required, A FDOT utility permit will be applied for and provided accordingly.**

8. \*\*\*\* 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: Acknowledged.**

**Landscape – Wade Collum – wade.collum@copbfl.com**

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

**Response: To the best of our knowledge, there are no plans to bury the existing overhead power lines.**

2. 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: Survey shall be provided.**

3. 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 specimen

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: Please refer to Sheet L-1.0 for ISA appraisals using FAC 14-40 Replacement Cost Method. All existing trees are shown by species, dbh, height, spread and condition.**

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

**Response: Provided. See Sheet L-2.2.**

5. Provide a mitigation table if applicable.

**Response: Provided. See Sheet L-1.0.**

6. Adjust plan to retain and preserve the existing large Tabebuia caraiba on NE corner.

**Response: After conferring with both the site planner and engineer for the project, we have found that due to the requirements for building placement and the necessary changes in grade, we cannot retain this tree in its current position. We will relocate as shown on the plan and bond as required by code.**

7. Clarify the use and purpose for the asphalt parking lot West of the subject parcel.

**Response: TBD. Site is to be sodded with Argentine bahia sod and a temporary irrigation system.**

8. Provide a landscape plan prepared and signed and sealed by a Florida Registered Landscape Architect in accordance with Code Section 155.5203 for the adjacent parcel to the West. There is no property line separating the proposed from the existing, please clarify.

**Response: Landscape Plan Sheet L-2.0 depicts the site to the west having the existing asphalt removed and sodded at this time.**

9. Provide a data table showing how the site is meeting the requirements of 155.5203. C Minimum Site Development Landscaping for the entire site or separate parcels.

**Response: Provided. See Sheet L-2.1.**

10. Show how requirements from 155.5203.D.5 VUA Landscaping are being met. Provide a minimum of 8' and up to 24' of landscape areas between a vehicular use area and an abutting building. Provide what is required vs. what is going to be proposed as to a superior landscape design.

**Response: Provided. See Sheet L-2.1.**

11. 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



minimum of trees or palms as follows within the subject area and must include one or more of the following elements:

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

**Response: Proposed landscape around the building consists of foundation hedges, with a minimum of two tiers of shrub and groundcovers, double and triple headed palms, flowering accents, and a mix of additional tropical accent plants.**

12. Rework tree arrangement on the East side to begin and end with the Lagerstroemia's.

**Response: Please clarify comment as this seems to be more a design critique rather than a code requirement. Landscape Architect is happy to work with staff to address any concerns regarding the arrangement of plant materials.**

13. Change street trees on the North side to be the Lagerstroemia's.

**Response: Trees have been changed as requested.**

14. Change street trees on the West side to be large canopy, including across the street on adjacent parcel see note #7.

**Response: Trees on the west side are within 20' of existing power lines and need to remain as FPL appropriate trees. There are no trees proposed for the lot on the west side of NE 18<sup>th</sup> Terr/NE 27<sup>th</sup> Ave at this time.**

15. Change interior VUA trees in parking lot islands to be large canopy.

**Response: Interior VUA trees are now all large canopy trees (Oaks and Gumbo Limbo). The only exception is the one remaining Pink Trumpet Tree on the West side of the parking lot as it is still within 30' of an overhead power line.**

16. Change LL's on the north side of parking to be large canopy as they are outside the FPL setback.

**Response: Ligustrum trees have been changed to Japanese Provet and are still within 20' of the overhead lines.**

17. Specify the most commonly available Ligustrum on the plant list as japonicum.

**Response: Acknowledged. See response to comment #16.**

18. Shift callouts for the shrubs, and groundcover away from the trees/palms or Bold trees/palms so that the plan is a little clearer.

**Response: Due to the large amount of information being required on this planting plan sheet, labels were not able to be shifted.**

19. Provide a full plant list on the landscape sheet with sizes please.

**Response: Provided. See Sheet L-2.0.**

20. As per 155.5401.C. remove light poles from required VUA areas, perimeter landscaping strips, landscaped islands in parking bays, landscaped areas between parking bays, and landscaping between vehicular use areas and buildings.

**Response: There are no apparent light pole conflicts.**

21. 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: There are no apparent light pole conflicts.**

22. As per 155.5203.D.4., a landscaped island shall be provided at each end of every row of parking spaces and per every 10 spaces. Landscape parking islands are to be a minimum 8' wide and contain trees, sod and irrigation, East end of south parking row.

**Response: Provided. See Sheet L-2.0.**

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

**Response: Provided. See Sheet L-2.0.**

24. 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. See Sheets L-3.0 to L-3.2.**

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

**Response: Provided. See Sheets L-3.0 to L-3.2.**

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

**Response: Note provided on Sheet L-2.0. Silver Buttonwood and Crape Myrtle heights have been changed to 14' as requested.**

27. Provide a note on the plan describing fines and penalties for encroachment into the critical root zones and within the tree protection zone for existing trees to be protected and preserved.

**Response: Note provided on Sheet L-1.0 and L-2.1.**

28. For example; Penalties would be incurred by the contractor for damages to the existing trees on site from the contractor, the subcontractors, or employees. Any encroachment within the tree protection zone, failure to maintain the tree protection zone, or any damage to the tree(s) or critical root zones will result in mitigation. The cause of damages would include, but not be limited to, storage of materials, placing fill or debris, disposal of paint or solvents, parking of machines under trees or tree protection zone encroachment. An example of this would be; Violations of this will result in a fine of \$1000.00 for the first offense, \$1500.00 for the second, and \$2000.00 for the third, etc. If physical damage is done to the tree, an appraisal of the damages and related fees will be determined by an ASCA Registered Consulting Arborist, and be based on all, or a percentage of, the established value assigned to the tree.

**Response: Note provided on Sheet L-1.0 and L-2.1.**

29. Please provide specifications and directives by a Registered Consulting Arborist prescribing timelines, watering, root pruning procedure and rootball size for all relocation proposed if any.

**Response: Please see city notes on Sheet L-1.1. A Registered Consulting Arborist shall be consulted for relocations.**

30. 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.

**Response: Note provided on Sheet L-2.0.**

31. 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: Note provided on Sheet L-2.0.**

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

**Response: Acknowledged. Thank you.**

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

**Response: Provided.**

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

**Response: Acknowledged. Thank you.**

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Thomas Engineering Group