



DUNAY MISKEL BACKMAN LLP

Gary Dunay
Bonnie Miskel
Scott Backman
Hope Calhoun

Dwayne Dickerson
Ele Zachariades
Matthew H. Scott
Christina Bilenki

Heather Jo Allen
Lauren G. Odom
Zach Davis-Walker

To: Pompano Beach Development Review Committee, Architectural Appearance Committee, and Planning and Zoning Board

From: Matthew Scott, Esq., *Dunay, Miskel and Backman, LLP*
Beth Schrantz, Land Planner, *Dunay, Miskel and Backman, LLP*

Date: March 11, 2019

RE: Response to Comments for P&Z #18-12000030 – WAWA at Atlantic Blvd and Andrews Ave
Major Site Plan and Major Building Design Approval

PLANNING:

Plan Reviewer: Kerrie MacNeil

Email: Kerrie.MacNeil@copbfl.com

Status: Review Complete Pending Development Order

1. Obtain approval of the Commercial Flex application prior to building permit approval.
Response: Acknowledged.
2. Plat must be approved (by both City Commission and County Commission) and recorded in the Public Records of Broward County prior to building permit approval (155.2410).
Response: Acknowledged.
3. Illustrate all existing and proposed easements on the Site Plan. Plat documents from PZ#18-14000012 show a ten foot utility easement and the site plan in this project folder does not show any utility easements.
Response: The plat will be amended in the next plat resubmittal to remove the referenced 10' wide utility easement, which was place in error.
4. On the Site Plan and the Survey, label the center line on W Atlantic Boulevard so that staff may determine whether Right-of-way dedication is required. Pursuant to code section 100.01.B, Atlantic Boulevard requires a ROW width of 120 ft.
Response: The Centerline is shown on the site plan and the survey as per the available records from FDOT for Atlantic Boulevard. There is a distance of 72.5 feet from the centerline to the property line, which exceeds the 60 feet required for a ROW width of 120 feet. As such, no ROW dedication is required to provide the required ROW width.

ENGINEERING DEPARTMENT:

Plan Reviewer: David McGirr

Email: david.mcgirr@copbfl.com

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1. Broward County EPD Surface Water Management Division must approve the proposed paving and drainage plans.

Response: Acknowledged.

2. As per City Code, landscaping materials other than sod are not allowed within (5') five feet of any portion of City owned utilities within the public street right-of-way including meters, hydrants, service lines etc. Show the location of all existing City owned and maintained potable water mains and services, sanitary sewer mains or laterals and storm drainage lines on the proposed landscape plans. Please place a note to this effect on the proposed landscape plans. Upload 2019 COPB Engineering Standard street tree detail 316-1.

Response: Acknowledged. Please refer to the revised landscape plan, which addresses this comment.

3. Any proposed work on West Atlantic Blvd. will require an FDOT Access Driveway/Connection Permit (Curbing, sidewalk, driveway entrance, and turn lanes), FDOT Drainage Connection Permit (drainage connection), FDOT Utility Permit (water, sewer).

Response: Acknowledged.

4. Any proposed work on North Andrews Ave. will require Broward County Engineering approval and Broward County Traffic Engineering Division.

Response: Acknowledged.

5. The proposed water services and sanitary sewer connection to service this project must be approved by the City of Pompano Beach Utilities Division.

Response: Acknowledged.

6. The proposed 2" force main needs to be listed as private. The civil plans are cut off where the proposed private 2" force main connects to the city force main.

Response: Acknowledged. The applicant is working with the City Utilities Department and City Attorney's Office to address this issue. In addition, the Utilities plan has been revised to show the connection of the proposed force main to the existing city force main.

7. Please upload the 2019 City Engineering standard details for the proposed water, sewer connections and the proposed sidewalk. These detail drawing may be obtained in pdf format from the City's website www.pompanobeachfl.gov under departments /engineering.

Response: Acknowledged. 2019 City Standard details are now used on construction detail sheets C-905 through C-908.

FIRE DEPARTMENT:

Plan Reviewer: Jim Galloway

E mail: jim.galloway@copbfl.com

Status: Review Complete Pending Development Order

This P&Z application is able to meet all of the Fire Department requirements at this time for PLAT APPROVAL ONLY. Site plan approval will be required, maintaining all proper fire department access and

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water supply requirements as per chapter 18 of NFPA 1 as amended from time to time.
Response: Acknowledged. Thank you.

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

Response: Acknowledged. Thank you.

BUILDING DIVISION:

Plan Reviewer: Carpelo Jeoboam

E mail: Carpelo.Jeoboam@copbfl.com

Status: Review Complete Pending Development Order

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 and HVHZ regulations.

Response: Acknowledged. Thank you.

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. Submit erosion and sedimentation Control Plan and Permit Application (FBC 3307.1).

Response: Acknowledged. Thank you.

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: Acknowledged. Thank you.

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. Thank you.

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 or structure to determine through rational analysis what design requirements are necessary to comply with 2017 FBC.

Response: Acknowledged. Thank you.

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. Thank you.

2. 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

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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 ul design for rated walls and penetration details.

Response: Acknowledged. Thank you.

3. 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. refer to window schedule on sheet A2.2.

Response: Acknowledged. Thank you.

4. FBC_BCA 107.3.5.2 The enforcing agency will require that all shop drawings, (i.e. components attached to building structure, trusses, railings, awnings...etc), necessary to show compliance with applicable codes; shall be approved by the architect or professional engineer and submitted to the building official prior to installation.

Response: Acknowledged. Thank you.

5. FBC_BCA107.3.4.0.8- 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. Thank you.

6. FBC_BCA110.10.1 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. Thank you.

7. 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. Thank you.

8. 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. Thank you.

9. 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

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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. Thank you.

10. 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. Thank you.

BSO:

Plan Reviewer: Scott Longo

Email: scott_longo@sheriff.org

Status: Review Complete Pending Development Order

Disclaimer: The services of an experienced, qualified and certified Security Crime Prevention/CPTED Consultant are highly recommended. This review does not guarantee a crime will never occur, it is an effort to mitigate opportunities for crime and to help avoid any present and future security deficiencies, conflicts, or liability's that might occur without any review.

Response: Acknowledged. Thank you.

CPTED Landscaping Standards

1. Natural Surveillance

Response: Acknowledged. Thank you.

2. Design out landscaping and lighting conflicts to avoid existing or future obstructions to Natural or Electronic Surveillance.

Response: Acknowledged and will comply. Thank you.

3. Design out existing or potential concealment/ambush points.

Response: Acknowledged and will comply. Thank you.

4. Maintain 2.0" foot maximum height for all hedges, bushes, low plants and ground cover.

Response: Acknowledged and will comply. Thank you.

5. Maintain a 10" clear trunk without any obstructive limbs or foliage hanging down for canopy tree.

Response: Acknowledged and will comply. Thank you.

Surveillance: Natural and Electronic

1. Ensure electronic surveillance cameras are installed at each gas lane.

Response: Please see the sheet 042 CPTED-1 for revised camera layout, which ensures coverage of all gas lanes.

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CRA:

Comments not available as of 2/13/2019.

Response: Acknowledged. Thank you.

UTILITIES:

Plan Reviewer: Nathaniel Watson

Email: nathaniel.watson@copbfl.com

Status: Review Complete Resubmittal Required

1. Please note that additional comments may be forth coming contingent upon future submittals and the development review process.

Response: Acknowledged. Thank you.

2. Please procure an approved Broward County EPD Surface Water Management permit or exemption for the proposed site work.

Response: Acknowledged. Thank you.

3. Please procure an approved FDEP / Broward County Wastewater Collection permit or exemption for the proposed sanitary work.

Response: Acknowledged. Thank you.

4. Please note that the dedicated 6" fire service meter is not a stock item and is subject to a 60 to 75-day order lead time once the meter is paid. Please order the meter according to the constructional schedule to ensure that the device is available for a timely installation.

Response: Acknowledged. Thank you.

5. As requested prior on 11-21-2018, please indicate on 011 Landscape Plan L-1 that as per City Ordinance(s) §50.02(A) (4) and §100.35(E), street trees shall not be placed on top of or 5' of either side of any City owned utility infrastructure. 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.

Response: Please refer to sheet 018 L-1 Landscape Plan for the requested note.

LANDSCAPE REVIEW:

Plan Reviewer: Wade Collum

Email: wade.collum@copbfl.com

1. Palm tree/ canopy tree count along south side VUA is unclear. Provide VUA requirements as per 155.5203.D, including canopy trees at 1:30.

Response: That restricted planting area requires street trees (1/40 LF), and parking perimeter trees (1 @ 30 LF) to be planted together. Provided = 9 canopy + 1 Royal Palm (near the building) as street trees, along with 9 Royal Palm, 1 Cape Myrtle, and 5 existing palms as perimeter trees in between because of space restrictions.

2. Provide a canopy tree in the end island on the NW corner. As per 155.5203.D.4. a landscaped island shall be provided at each end of every row of parking spaces. Landscape parking islands are to be a minimum 8' wide and contain trees, sod and irrigation, Palms do meet the requirement.

Response: Palms were substituted with a canopy tree.

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3. It appears that a new fire hydrant is being proposed in the location of the preserved tree #29 – this may not be the best location.

Response: Acknowledged. Please see the site plan for revised location of the proposed fire hydrant

4. Based on minimum industry guidelines for a +/-24" tree a minimum of 10' should be provided. Please discuss to maximum chance of survivability.

Response: The planting island was increased to 10' wide.

5. Provide soil specifications, comment # 11 refers to 2 parts of existing topsoil and 1 part sand. The soil may have to be imported and should have a percentage calculation.

Response: A soil specification was added to Note #11.

ZONING and URBAN DESIGN:

Plan Reviewer: Pamela Stanton

Email: pamela.stanton@copbfl.com

1. Related to previous comment #1: clarify how the post-dedication site area figure of 93,402 in the written response was calculated. The Plat shows a dedication of 2,502 square feet and a post-dedication site area of 93,254.

Response: The dedication area is 2,502 square feet. The post-development area now is now accurately calculated as 93,254 square feet. The site plan sheet has been corrected and revised accordingly.

2. Related to previous comment #2: see comment #1 above and revise calculations accordingly, if necessary.

Response: Acknowledged. The lot coverage has been revised per the revised post-dedication site area.

3. Previous comment #4 was partially addressed. A detail was found on C-9 for "Pipe Guiderail (Aluminum)." However, the site plan calls-out "Retaining Wall w/Fence," "Proposed 8' tall Industrial Curved Picket Fence," "Proposed Retaining Wall w/Aluminum Safety Rail per FDOT Index 515-070." Clarify which call-outs on the site plan are associated with the detail for "Pipe Guiderail (Aluminum)" and provide additional details as necessary for all fence and wall types.

Response: Acknowledged. Please see sheet 003 SP-1 Civil Site Plan for the revised callout of the wall and fence detail that identifies which detail is intended for each entity.

4. Related to previous comment #6: a label for the centerline of W Atlantic Blvd was not found on the survey. A "Centerline of Construction" was found, but it is not equivalent to the designation for the centerline of a roadway.

Response: The Centerline is shown on the site plan and the survey as per the available records from FDOT for Atlantic Boulevard. There is a distance of 72.5 feet from the centerline to the property line, which exceeds the 60 feet required for a ROW width of 120 feet. As such, no ROW dedication is required to provide the required ROW width.

5. Related to previous comment #15: the response includes a request for a Minor Administrative Adjustment to allow a modification to the front setback. Submit the MNAA application with the required \$150 fee for processing

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Response:The applicant is preparing the required application and will submit it prior to the Planning and Zoning Board submittal.

6. Previous comment #16: the comment remains in effect, pending approval of Commercial Flex Allocation.

Response: Acknowledged. Thank you. Please make this a condition of site plan approval and allow the application to move forward to Planning and Zoning Board.

7. Related to previous comment #17: the response states that the applicant intends to seek AAC approval of the canopy design. However, the canopy height requirement can be waived only if all standards of 155.4303.E.3.f.vi are met. See comment #8 below.

Response: The proposed canopy complies with all criteria. Please refer to the response for comment #8 below.

8. Previous comment #18: Section 155.4303.E.3.f.vi states that ALL of the standards must be met in order for the Development Services Director to waive compliance with the 16-foot clearance standard. Standards #1 and #3 appear to be met, and #4 is pending AAC approval. Provide figures indicating compliance with #2, where the height of the canopy must be less than the average height of the principal building.

Response: Please see the Building and Canopy Height Exhibit included in the Project Documents for a comparison of the Building and Fuel Canopy heights. The height of the Canopy is 21'-0 ³/₄" as compared with 24'-4 ³/₄" Average Building Height. As such, the proposed canopy complies with standard #2 for the waiver.

9. Related to previous comment #19: the floor plan continues to show outdoor storage at the west side of the principal building. Revise plans to address this issue. Staff requests providing landscaping adjacent to the building at the west side of the northwest corner of the building in place of the outdoor storage, as the design does not include seating in that area and sufficient pedestrian width can be provided.

Response: The Ice Storage has been removed from all of the plan views. The ice storage unit will be inside the building.

10. Previous comment #21: pending approval from the Director of Development Services to waive the requirement for a cross-access agreement.

Response: Acknowledged. Thank you.

11. Related to previous comment #22: queueing was found for vehicles exiting the site onto W Atlantic Blvd. However, minimum stacking is required for vehicles entering the site. Provide the dimension indicating compliance for the minimum 50-foot stacking distance for vehicles entering the site.

Response: Please see the site plan for the dimension showing compliance with the stacking requirement.

12. Related to previous comment #26: The response states that the applicant may seek Vernacular or Superior Design Alternative for the address to be derived from Atlantic Blvd. Vernacular or Superior Design Alternative can be granted only for certain Design Standards of Article 5, of which address assignment is not included. An Alternative can be sought for most Design Standards in 155.5602 for Commercial developments and it must be demonstrated and justified that a Vernacular or Superior Design Alternative option has been met for each Design Standard from which the applicant desires to

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seek deviation. Note that the results of the Design Alternative options, when correctly applied, are superior to the Code requirement from which the applicant is seeking to deviate, not merely a replacement of a Code requirement with a design alternative of equal quality. Clarify what the response to previous comment #26 is attempting to achieve.

Response: Please refer to the Project Narrative, which has been revised to clarify and justify the requested superior design alternatives.

13. Previous comment #27 has not been addressed. The response states that the revised submittal provides the required windows and doorways on street-facing facades. However, a review of the east and south elevations reveals a concrete wall with spandrel glass attached to the wall. Windows and doors are openings, thus the minimum requirement for windows and doors has not been met.

Response: Please refer to the Project Narrative, which has been revised to clarify and justify the requested superior design alternatives.

14. Related to previous comment #28: the response states that the applicant intends to seek Vernacular or Superior Design Alternative approval. Of the six Vernacular or Superior Design Alternative options, clarify which option will be applied and how it is achieved. Note that the results of the Design Alternative options, when correctly applied, are superior to the Code requirement from which the applicant is seeking to deviate, not merely a replacement of a Code requirement with a design alternative of equal quality.

Response: Acknowledged. Please refer to the Project Narrative, which has been revised to clarify and justify the requested superior design alternatives.

15. Previous comment #29 was not sufficiently addressed. Sustainable development points can be counted toward overhangs over windows on the south elevations only, not east and west elevations.

Response: Please refer to the Project Narrative, which details the sustainable development options and does not include points for overhangs over windows.

16. Related to previous comment #30: the response states that sign information will be included with the Major Building Design application. The application currently underway is for Major Site Plan and Major Building Design application. Submit the information at this time. In addition, gasoline station sign requirements must comply with provisions of 115.10.

Response: Please refer to the sign plans included with this submittal as sheets 044 through 052.

17. The site plan does not depict the northernmost limits of the site. Revise the site plan to include the entire project site.

Response: Acknowledged. Please see revised site plan containing the entirety of the site.

18. Provide black and white elevations with call-outs for all materials and colors for the principal building, filling station canopy, and trash enclosure.

Response: Please refer to the black and white elevations with call-outs for all materials and colors for the principal building, filling station canopy, and trash enclosure included with this submittal as sheets 007 through 011.

19. Provide specifications for all glass, window glazing, spandrel, etc.

Response: Please refer to the Glazing Details included with this submittal.

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20. Provide details for lighting, including poles, luminaires, wall fixtures, etc.

Response: Please refer to the Exterior Light Fixture Details included with this submittal.

21. A material board measuring 11" x 17" is required at the time of the AAC submittal deadline, to include samples of stone veneer, glazing/glass, faux wood, awning, fencing, canopy material, original paint chips, etc.

Response: A material board including the required information was delivered to the City prior to the AAC submittal deadline.

22. If the proposed development is planned to operate 24 hours, it is considered a LATE-HOURS BUSINESS. Demonstrate compliance with the requirements of 115.26 BUSINESS SECURITY.

Response: Please refer to the CPTED Narrative, prior BSO comment responses, and CPTED plan sheets for compliance with the requirements of 115.26 Business Security.

SOLID WASTE AND RECYCLING

Plan Reviewer: Beth Dubow

E mail: beth.dubow@copbfl.com

1. The location and angle in which the garbage/recycling enclosure is placed, requires a garbage truck to enter at the south entrance and drive through the site. In order to do so, there must be a minimum turning radius of 35 feet for the trucks to maneuver around the pumps and their canopy. Please show the turning radii on the site plan; specs have been uploaded for your reference.

Response: Please see 012 LS-1 Circulation Plan for trash truck turning plans that include the radii in the requested locations.

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

Response: Acknowledged. Thank you.

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