



## Legislation Details (With Text)

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**Type:** DRC Submission      **Status:** Regular Agenda Ready

**File created:** 12/20/2023      **In control:** Development Review Committee

**On agenda:** 6/5/2024      **Final action:**

**Title:** POMPANO BEACH TOWNHOMES - SPRING STREET

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. DRC Documents\_01.17.2024.zip, 2. DRC Drawings\_01.17.2024.zip, 3. DRC Drawings\_06.05.2024.zip, 4. DRC Documents\_06.05.2024.zip

Date	Ver.	Action By	Action	Result
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DEVELOPMENT REVIEW COMMITTEE  
Meeting Date: JUNE 5, 2024

### POMPANO BEACH TOWNHOMES - SPRING STREET

**Request:** Minor Site Plan  
**P&Z#** 23-12000053  
**Owner:** 63-65 West End Enterprises LLC  
**Project Location:** 3405 Spring Street  
**Folio Number:** 484329041150  
**Land Use Designation:** MH (Medium-High 16-25 DU-AC)  
**Zoning District:** RM-20 (Multiple-Family Residence 20)  
**Commission District:** 1 (Andrea McGee)  
**Agent:** Rustam Ashurov (arbybuilders@gmail.com / 786-944-7262)  
**Project Planner:** Saul Umana (saul.umana@copbfl.com / 954-786-4662)

### Summary:

The applicant is requesting Minor Site Plan approval for the development of four townhomes with a total footprint of 5,650 square feet with associated landscaping and driveway parking.

**Staff Conditions:**

**PLANNING**

**Plan Reviewer:** Max Wemyss | [max.wemyss@copbfl.com](mailto:max.wemyss@copbfl.com) <<mailto:max.wemyss@copbfl.com>>

**Status:** Authorized with Conditions

Max Wemyss | [max.wemyss@copbfl.com](mailto:max.wemyss@copbfl.com) | 954-786-4671  
23-12000053

1. Land use for this parcel is Medium-High (MH), the property is located within the RM-20 (Multi-Family) zoning designation and the lot size is 13,000 square feet (.3 acres) according to the Survey. The Project proposes four 4-bedroom units, within 3 floors. Based on the land use and the zoning, the proposal for townhomes is permitted.
2. The property was platted as Hillsboro Shores, Sec. A (1945) and Sec. B (1946); Hillsboro Shores, Sec. A: Plat Book 21, Page 14; Hillsboro Shores, Sec. B: Pat Book 22, Page 39. The western 30 feet of the subject parcel fall within Section B. There are no plat notes that restrict the property/use. Based on the plat & the proposed scope, there are no additional platting requirements.
3. Provide a final School Capacity Availability Determination (SCAD) Letter from the Broward County School Board prior to building permit approval. The preliminary provides that the development application "satisfies public school concurrency".
4. The property abuts Spring Street. The survey provided indicates the overall width of the right-of-way At 50 feet wide. It also provides the measurement of the street at 25 feet to the centerline of the right-of-way. These roadways provide the minimum right-of-way required pursuant to Chapter 100.01.
5. The property does not front on any roads / streets identified on the Broward County Trafficways Plan.
6. The Survey Indicates that ground elevation is roughly 4 feet. According to FEMA's Flood Insurance Rate Map (FIRM), the property must have a minimum base flood elevation of 6' NAVD, requiring the finished floor elevation to be a minimum of 7' NAVD (Be advised that preliminary FIRM shows a required minimum BFE of 7' NAVD). Building elevations show the building generally at grade, and total height is measured from slab. Our code requires that total building height be measured from "finished grade" at the front of the building. Please revise elevations to provide the actual elevation of grade and measure from this point for total building height.
7. The City has sufficient wastewater treatment capacity to accommodate the proposal.
8. Park Impact Fees to be assessed upon Building Permit approval, based on four 4-bedroom townhouse units in Park Impact Fee Sector 1.

**BSO**

**Plan Reviewer:** Anthony Russo | [Anthony\\_Russo@sheriff.org](mailto:Anthony_Russo@sheriff.org)

**Status:** Authorized

Development Review Committee Date Reviewed: 05-15-2024

Subject: CPTED & Security Strengthening Report: PZ: 23-1200053

Project Name & Address: Townhomes 3223 NE 5th St

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

[Patrick\\_Noble@sheriff.org](mailto:Patrick_Noble@sheriff.org)

M-(954) 709-7006 (Call, Text & Email, No Voicemail).

Monday - Thursday, 8 AM - 4 PM

\*\*\* ATTENTION \*\*\*

Please Thoroughly Read & Initial All The Following Important Statements To Attest That The Security Plan Preparer/

Owner's Agent Understands & Will Comply With All The Following Conditions:

A. \*\*\* CPTED / SECURITY CONSULTANT \*\*\*

The services of an independent, & highly experienced, qualified, & certified Security Crime Prevention/ CPTED Consultant are highly recommended to achieve & maintain objective credible security review integrity, & to expedite processing.

Initials \_\_\_\_\_

B. \*\*\* DISCLAIMER \*\*\*

SAFETY & SECURITY REVIEWS do not guarantee a crime will never occur; it is an effort to mitigate opportunities for crime & to help avoid any present & future security deficiencies, conflicts, threats, breaches, or liabilities that might occur without any review.

Initials \_\_\_\_\_

C. \*\*\* CPTED & SECURITY STRENGTHENING \*\*\*

CONDITIONS required for approval must each be included & described in detail on the narrative & drawing plans. Also, developer &/ or legal agent must initial each individual listed item declaring acknowledgement & compliance. \*\*\*

Initials \_\_\_\_\_

D. \*\*\* 155.2407.E.9., SITE PLAN REVIEW STANDARDS \*\*\*

"... COMPLIES WITH CRIME PREVENTION SECURITY STRENGTHENING & CPTED STANDARDS..."

THIS REQUIRES BOTH TO BE ADDRESSED FOR PLANNING & ZONING REVIEW & APPROVAL.

Initials \_\_\_\_\_

E. \*\*\* PRELIMINARY APPLICATION REVIEWS (PAM) \*\*\*

All comments made by the Broward Sheriff's Office regarding your plan are preliminary only, as additional SECURITY STRENGTHENING & CPTED attributes may be required as development progresses.

Initials \_\_\_\_\_

F. \*\*\* ADDITIONAL PROJECT FEATURES AFFECTING CPTED/ SECURITY STRENGTHENING \*\*\*

Any project features that may affect the principles & goals of Security Strengthening & CPTED on any of the other plan sections should also be included in the CPTED/ Security Plans. An example would be if a perimeter fence blocks the goals of Natural Surveillance because it has opaque screening, then this must be included in the CPTED/ Security Plan section for review by the BSO Security Plan reviewer in the CPTED/ Security Plan section folder.

Initials \_\_\_\_\_

G. \*\*\* CPTED & SECURITY STRENGTHENING CONDITIONS REQUIRED FOR APPROVAL: \*\*\*

Note: if EITHER the SECURITY STRENGTHENING & CPTED Drawing OR Narrative Plans are a resubmittal, you may include 'comment responses' to conditions, but you must absolutely include your responses with details onto both the actual drawing & narrative plans, DO NOT JUST SAY "ACKNOWLEDGED.!" Clearly stating "WILL COMPLY," with a detailed description of HOW it will comply is required.

Initials \_\_\_\_\_

**ZONING**

**Plan Reviewer:** Saul Umana [saul.umana@copbfl.com](mailto:saul.umana@copbfl.com) <<mailto:saul.umana@copbfl.com>>  
**Status:** Pending Resubmittal

1. 004 SL Site Lightning - Provide the lumens for the proposed lightning pole features - Any light source or lamp that emits more than 900 lumens shall be concealed or shielded with full cut-off style fixture with an angle not exceeding 90 degrees to minimize glare and unnecessary light diffusion onto adjacent properties and streets. (See [Figure 155.5401.G](#) <[https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl\\_zone/0-0-0-39194](https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl_zone/0-0-0-39194)>: Shielding of light source to avoid light diffusion onto adjacent property.) **(No need to address this comment again. This will remain as condition of approval for the building permit stage to ensure the light features do not go above the 900 lumens)**
2. Elevations - Please provide the height on the elevations as determined by measuring the vertical distance from the average elevation of the existing finished grade at the front of the structure to the top of the roof for a flat roof. **(Unclear if this is being measured from average finished grade)**
6. Please note that maximum height limit is 35 ft. for RM-20. The maximum allowable encroachment per code section 155.9402 cannot exceed 25% of the height limit. [155.9402](#). <[https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl\\_zone/0-0-0-40186](https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl_zone/0-0-0-40186)> Based on the elevations, although not sure if measured from average grade, is over the 25% limit.

## FIRE

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

**Status:** Authorized with Conditions

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

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

## CRA

**Plan Reviewer:** Kimberly Vazquez | [Kimberly.vazquez@copbfl.com](mailto:Kimberly.vazquez@copbfl.com) <<mailto:Kimberly.vazquez@copbfl.com>>

**Status:** Authorized with Conditions

1/3/2024 - This property is not located within the CRA District. No comment.

## UTILITIES

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

**Status:** No Comments provided as of 05/28/2024

## ENGINEERING DEPARTMENT

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

**Status:** Pending Resubmittal

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

1. A revocable license agreement will be required for the private drainage system within the city right-of-way.
  
2. There is a drainage project that is on-going on Spring St. and Bay Dr. as-builds have not yet been completed and there could be a conflict with the proposed private drainage within the right of way. Please reach out to Keith Engineering as they are the design engineer for the project.
  
3. 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.
  
4. Submit / upload the (FDEP) Florida Department of Environmental Protection NPDES General Permit for the proposed storm water discharge from the proposed site construction activities.
  
5. 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.
  
6. Note on all drainage plans that the off-site drainage pipe needs to be RCP or ADS HP Storm. No N12 permitted in R/W.
  
7. Place a note on the PGD plans that the existing roadway within the project limits and possible beyond will be inspected by the City Engineer, Public works director or a designated representative for damage due to construction prior to final acceptance. A partial or full milling and overlay of the roadways may be required.
  
8. Please note on civil plan sheet 015 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)

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. \*\*\*\*

## LANDSCAPING

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

**Status:** Authorized with Conditions

5.13.24

1. Provide a landscape plan prepared and signed and sealed by a Florida Registered Landscape Architect in accordance with Code Section 155.5203, Arshad Viqar does not appear to be.
2. There are multiple conflicting landscape plans aka tree surveys from two different submittals dates. Please clean up and clarify files so we can help approve
3. Existing Palm / Tree list values do not match the Arborist report of values from 2/24. Please revise table on L1 to match submitted Arborist report. Adjust calculations.
4. Where are all the Sabals proposed to remain? Please provide exiting tree #'s on the plan. 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.
5. There appears to be conflicts with required landscaping and new utilities, please relocated utilities, or shift to accommodate.
6. Change Cassia to a medium / large canopy tree, Maybe a Pink Tab.
7. 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
8. All tree work will require permitting by a registered Broward County Tree Trimmer.
9. Provide a comment response sheet as to specifically how comments have been addressed at time of resubmittal.
10. Additional comments may be rendered a time of resubmittal.

## BUILDING DIVISION

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

**Status:** Authorized with Conditions

**Advisory Comments**

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

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

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

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

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.

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).

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.

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 2020 FBC Accessibility.

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

FBC A206.2.1 Site arrival points. At least one accessible route shall be provided within the site from accessible parking spaces complying with FBC A502 and accessible passenger loading zones complying with FBC A209;

public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve.

FBC\_BCA 107.3.4.0.6 Compliance with the specific minimum requirements of this code shall not be in itself deemed sufficient to assure that a building or structure complies with all of the requirements of this code. It is the responsibility of the architect and/or engineer of record for the building, structure or facility to determine through rational analysis what design requirements are necessary to comply with 2020 FBC.

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

2. FBC [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.

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.

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.

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.

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.

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.

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.

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.

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).

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.

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.

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.

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.

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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. 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.