

## Legislation Text

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**File #:** LN-501, **Version:** 4

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DEVELOPMENT REVIEW COMMITTEE

Meeting Date: JUNE 5, 2024

### CRITERION OUTDOOR STORAGE

**Request:** Major Site Plan  
**P&Z#** 23-12000019  
**Owner:** 33 NW 33RD ST INDUSTRIAL LLC  
**Project Location:** NW 33<sup>rd</sup> St  
**Folio Number:** 484221070070  
**Land Use Designation:** I (Industrial)  
**Zoning District:** I-1 (General Industrial)  
**Commission District:** 4 (Beverly Perkins)  
**Agent:** Christopher Lall (561-571-0280 / [clall@bohlereng.com](mailto:clall@bohlereng.com))  
**Project Planner:** Diego Guevara (954-786-4310 / [diego.guevara@copbfl.com](mailto:diego.guevara@copbfl.com))

### Summary:

The applicant is requesting a Major Site Plan approval. This industrial project consists of a two-story office building, one-story warehouse, and outdoor storage area, with associated parking, loading, and landscaping, on 451,421 sf. (approximately 10.36 acres) lot.

### Staff Conditions:

#### PLANNING

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

Status: Authorized with Conditions

1. Land use for this parcel is Industrial, the zoning is I-1 (General Industrial). The proposal includes two new buildings (totaling 39,997 square feet) and a canopy (8,162 square feet in area) with the majority of the site dedicated to outdoor storage. These uses are permitted in the land use category, subject to conformance to the zoning regulations.
2. The property was platted in 1981 (Pompano Industrial Park 3rd Addition - Tract G- Plat Book: 111 Pg: 33), and there are no plat notes restricting the property to any specific use(s).
3. The city has sufficient capacity to accommodate the proposal.

#### ZONING

Diego Guevara | [diego.guevara@copbfl.com](mailto:diego.guevara@copbfl.com) <<mailto:diego.guevara@copbfl.com>>

Status: Authorized with Conditions

### General Comments:

It's crucial to revise the plans' names. You've submitted many drawings, all named "Site Plan." Accurate naming aids in

identifying, retrieving, and reviewing specific drawings.

It will help the reviewers if you are more specific when naming the drawings to upload. Please do not use the page number as the name; it does not describe the drawing's content.

Revise the multiple site plans submitted and coordinate. Some plans show a two-way access at the east driveway access, and others just a one-way entrance. If it is two-way, add the sight triangles as needed by Sec. 155.5101.G.9. Sight Triangles.

**Note:** The areas for outdoor storage shall be fully enclosed with a fence or masonry wall.

## LANDSCAPE

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

Status: Pending Resubmit

1. Provide a landscape plan prepared and signed and sealed by a Florida Registered Landscape Architect in accordance with Code Section 155.5203
2. Please meet with UF staff with 24 x 36 sheets to go over comments to help clarify and come to an agreement. Comment response sheet is vague and referenced sheet numbers do not align with the naming nomenclature uploaded in ePlan, as per meeting discussion.
3. Clarify Tree disposition table as to what Relocate or Remove with Construction. This must be determined now so all team members are aware of what is being proposed, As per 155.5204.E.b.i-iv; Mitigation is to be above and beyond required plantings.
4. what is discounted and prior to permit. as per meeting discussion.
5. 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., as per meeting discussion.
6. Tree plantings arrangement on the East side wide islands is not cohesive, and does not resemble repetition, unity, or rhythm based on the mixture of species facing the public realm. as per meeting discussion.
7. Site Plan and landscape plan does not match for LP-9 West of building
8. It appears that utilities are being proposed bisecting required landscape areas correct and relocate LP-9.
9. End islands with EF's ?? large canopy trees please.
10. Sod areas on plan and callouts are greyed out making it a little difficult to read, can the line weight change?
11. SP's are being shown off site on the north side, please shift within this property or note that thy ear for reference only.
12. Provide the approved plans and permit #'s for the cell tower facility located at the west end of the parcel. Provide a means of access for this site.
13. All trees are to be large canopy except for the south perimeter with OHW, Please adjust the +/- 180 understory trees. as per meeting discussion.
14. Show how requirements from 155.5203.D.5 VUA Landscaping are being met. Provide a minimum of 13' 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. The minimum of a clear 6.5' is not being shown and there are areas not being addressed. Mostly Please specify so staff can help provide direction, LP-8.
15. Staff could not locate site plan to match LP-7
16. 21. 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:
  - 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.

17. As per 155.4228.3.a. i. The area(s) used for outdoor storage shall be fully enclosed with a fence or masonry wall no less than eight feet high in accordance with Section 155.5302, Fences and Walls. The height of materials and equipment stored shall not exceed the height of the screening fence or wall. Staff cannot locate note.
18. 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.
19. Bubblers will be provided for all new and relocated trees and palms. Staff could not locate bubbler note or symbols or callouts
20. Please remove duplicate irrigation sheets showing irrigation on the site is it currently is. Sheets IRR-1-4
21. Please correct note #3 on sheet LP-19 referencing Palm Beach County.
22. Provide irrigation in the RW swale.
23. As per 155.4228.3.a.ii. Perimeter buffers in accordance with Section 155.5203.F, Perimeter Buffers, shall be provided between the outdoor storage area(s) and the site's boundaries, with a Type C buffer provided between an outdoor storage area and the front lot line, a Type B buffer provided between an outdoor storage area and any side or rear lot line adjoining a street, and a Type A buffer provided between an outdoor storage area and any other side or rear lot line. Staff needs clarification on how these are being proposed, the walls or fences proposed, whether it is Options 1 or 2, location of walls or fences, so we can help render approvals based on the requirements. Based on the width of the East buffer, staff suggests concrete post and panel, as per meeting discussion. Staff recommends that the location of the wall/fence not be directly against the property line but located in the middle of the buffer with landscaping facing the public realm, as per meeting discussion.
24. Provide a small cross section of the individual buffers including the fence type and location as per meeting discussion.
25. All trees are to be large canopy unless OHW overhead wires exist adjust plan accordingly and reduce overuse of understory trees save the south VUA perimeter buffer at understory trees at 2:1. as per meeting discussion.
26. 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. Just a detail that shows what's underground in areas of planters, as per meeting discussion.
27. 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. Verify light poles locations on the landscape plans with trees outside of radii, as per meeting discussion.
28. All tree work will require permitting by a registered Broward County Tree Trimmer.
29. Comment response sheet was labeled differently than previous submittals, now called C&R Pompano Beach.
30. Sheets labeled in ePlan do not match the sheet names on the plans
31. Provide a comment response sheet as to specifically how comments have been addressed at time of resubmittal.
32. Additional comments may be rendered a time of resubmittal.

## FIRE DEPARTMENT

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

**ENGINEERING DEPARTMENT**

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

Status: Authorized with Conditions

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

1. Submit / upload the (BCEPMGD) Broward County Environmental Protection and Growth Management Division Surface Water Management permit or exemption for the proposed paving and drainage shown on the civil engineering drawings.
2. Prior to the approval of the City Engineering division, the City's Planning and Zoning Division must approve these plans.
3. Prior to the approval of the City Engineering division, the City's Utilities Division must approve these plans.
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. Submit / upload a copy of the (BCOES) Broward County Water and Waste Water Service Utility permit or exemption for the proposed utility work.
7. Submit / upload COPB Engineering standard details for the road restoration of NW 33 St. Which is city right-of-way. These detail drawing may be obtained in pdf format from the City's website [www.pompanobeachfl.gov](http://www.pompanobeachfl.gov) under departments /engineering.

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. \*\*\*\*

**UTILITIES**

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

Status: Authorized with Conditions

1. Please note that additional comments may be forth coming contingent upon future submittals to the PAM and/or DRC review process.
2. Please procure an approved Broward County EPD Surface Water Management permit or exemption for the proposed site and off-site work. Required during official e-plan submittal.
3. Please procure a Broward County Wastewater Collection permit for the proposed wastewater sanitary sewer system. Required during official e-plan submittal.
4. Please exercise best management practices with regard to sedimentation and erosion control for on and off-site storm systems.

**CRA**

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

Status: Authorized with Conditions

The site is zoned I-1 (General Industrial) with future land use of I (Industrial). The applicant is proposing a 45,584 SF one story warehouse with a 4,580 SF 2-story office building with 9,160 SF of supporting parking and landscaping features.

This project is not within the CRA district but the CRA does support the use.

**BSO**

Anthony Russo | [Anthony.Russo@sheriff.org](mailto:Anthony.Russo@sheriff.org) <<mailto:Anthony.Russo@sheriff.org>>  
M-(561) 917-4556 (Call, Text & Email; No Voicemail)

Status: Authorized

**\*\*\* ATTENTION IMPORTANT \*\*\***

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

**\*\*\* DISCLAIMER \*\*\***

This safety and security review does not guarantee a crime will never occur; it is an effort to mitigate opportunities for crime and to help avoid any present and future security deficiencies, conflicts, threats, breaches, or liabilities that might occur without any review.

**\*\*\* ATTENTION 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.

**\*\*\*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.

**BUILDING DIVISION:**

Todd Stricker | [todd.stricker@copbfl.com](mailto:todd.stricker@copbfl.com) <<mailto:todd.stricker@copbfl.com>>  
Status: Authorized with Conditions

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. nonresidential buildings shall comply with City Ordinance 152.29(C)(1)(B).

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\_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.

7. 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.

8. 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.

9. 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).

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.