



Legislation Text

File #: LN-592, Version: 2

DEVELOPMENT REVIEW COMMITTEE

Meeting Date: JULY 3, 2024

400 SUNSET TOWNHOUSE

Request: Minor Site Plan
P&Z# 24-12000007
Owner: Paradise at 400 Sunset LLC
Project Location: 400 Sunset Dr
Folio Number: 484331120080
Land Use Designation: H (High 25-46 DU/AC)
Zoning District: RM-45 (Multiple-Family Residence 45)
Commission District: 1 (Andrea McGee)
Agent: Syed Ali Nazem (alinazem@rocketmail.com)
Project Planner: Pamela Stanton (954-786-5561 / pamela.stanton@copbfl.com)

Summary:

This Minor Site Plan application is for a new three-unit townhouse development in a 6,615 square foot lot (0.1519 acre) in one 5-story building located at the northeast corner of Sunset Drive and NE 4 Street.

Staff Conditions:

PLANNING

Plan Reviewer:

Status: Comments not available as of June 20, 2024

ZONING

Plan Reviewer: Pamela Stanton | pamela.stanton@copbfl.com

Status: Pending Resubmittal.

1. Provide written responses to all comments.
2. The Zoning Property Information table indicates a 20% adjustment to all setbacks. For Minor Administrative Adjustments to the front, street and interior side and rear yard setbacks, submit a completed signature page of the application and fee via Camino, and the required documents listed on the

Administrative Adjustment checklist.

3. Each townhouse lot must be at least 1,800 square feet in size and a minimum of 18 feet wide, pursuant to Section 155.3212.C, Note #2. The individual lots do not comply with the minimum 1,800 square foot area requirement.
4. In addition to wall offsets, street-facing facades must have at least 3 features from the following list for each residential unit facing a street: recessed entrance, covered porch, pillars, posts, or columns adjacent to the doorway, one or more bay windows projecting at least twelve inches from the façade plane, eaves projecting at least six inches from the façade plane, raised corniced parapets over the entrance door, multiple windows with a minimum four-inch-wide trim, or integrated planters that incorporate landscape areas or places for sitting, pursuant to Section 155.5601.C.3. Juliet balconies appear on the list of proposed elements on sheet 004 A-3.5, however they are not on the list of qualifying features. Also, the eaves as shown on the roof/level 5, do not meet the intent of the architectural features, as they are set significantly back from the outer façade of the building.
5. It appears that the existing grade will be raised from the existing elevation. Therefore, measure the building height from the grade after the site is brought to the final elevation. Building height is determined by measuring the vertical distance from the average elevation of the finished grade that is proposed for this development at the front of the structure to the top of the flat roof, pursuant to Section 155.9401.G. Revise the elevation dimensions to add a building height dimension from finished grade, along with the dimension from finish floor.
6. Show the location of the fence on the landscape plan.
7. Provide the required landscape material along the proposed fence, in accordance with Section 155.5302.F.3. The landscape material must be placed on the street-facing side of the fence.
8. The following will be a condition of the Development Order: Provide a copy of the Final SCAD letter.
9. The following comment will be a condition of the Development Order: Section 155.5509: In all new development, all overhead utilities located on the development site and/or along the public right-of-way fronting the development site must be placed underground to the maximum extent practicable-provided that the Development Services Director can waive this requirement where the relevant utility company demonstrates that undergrounding will be detrimental to the overall safety and/or reliability of the circuit.

LANDSCAPING / URBAN FORESTRY

Plan Reviewer: Wade Collum | wade.collum@copbfl.com

Status: Authorized with Conditions.

1. Actual Tree survey does not match tree disposition plan, correct.
2. Staff is questioning the relocation of tree #6 with a poor, 40% condition rating to a spot where there is an existing Live Oak with a condition rating of 60%, please adjust.
3. Combine / Consolidate all the Sutton documents to one actual document at time of permit submittal.
4. Adjust Tree Appraisal prepared by an ISA Certified Arborist in accordance with Rule 14-40.030 of the Florida Administrative Code as amended, that more accurately reflect the cost per tree based on Florida Grade

#1 Oak trees

5. The data table is unclear as to how it aligns with removals. May be adjusted due to Live Oak / Seagrape concern. 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.
6. As per 155.5204.E.1.b.i-iv; Mitigation is to be replacement trees above and beyond required plantings. Staff is unclear how this is being shown.
7. Correct the data table showing how the site is meeting the requirements of 155.5203. C Minimum Site Development Landscaping.
8. Please relocate utility conflicts with required street trees along Sunset Dr
9. Show how requirements from 155.5203.D.5 VUA Landscaping are being met. Provide a minimum of 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. Per the below please provide landscaping reflective of the superior design requirements spelled out below.
10. Show sod and irrigation in the ROW swales
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 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.
12. Provide soil specifications in percentage form on the plan for the purposes of inspections.
13. Remove gallon size from plant list.
14. 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 on site. Show in the ROW swales.
15. Bubbler symbols and callouts could not be located on the plan.
16. Adjust note #9 to reflect City of Pompano Beach Pompano Beach Landscape Code 155.5203.

17. Adjust planting details to only show sisal or other biodegradable material attached to trunk of tree.
18. Provide a mechanical equipment screening detail.
19. All tree work will require permitting by a registered Broward County Tree Trimmer.
20. Provide a comment response sheet as to specifically how comments have been addressed at time of resubmittal.
21. Additional comments may be rendered a time of resubmittal.

FIRE PREVENTION

Plan Reviewer: Jim Galloway | jim.galloway@copbfl.com

Status: Pending Resubmittal.

- 1- Show location of FDC for fire sprinkler system. Must maintain minimum 3ft clearance on each side and rear with a 6ft clear width in front to public right of way. Cannot be located behind other backflows and meters or landscaping.
- 2 - fire sprinkler system must be supervised by a fire alarm system. provide location of proposed fire alarm control panel. must be located within a common area that is climate controlled meeting the specs of the fire alarm control panel.

ENGINEERING

Plan Reviewer: David McGirr | 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. Submit / upload a sediment and erosion control plan for the subject project. All site development must be performed by using Best Management Practices.
3. Prior to the approval of the City Engineering Division, the City's Planning and Zoning Division must approve these plans.

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

5. Place note on landscape plan sheet 005 LP-2 as per City Ordinance(s) §50.02(A) (3) and §100.35(G), that landscaping materials other than sod are not allowed within (5") five feet of any portion of City owned utilities within the public street right-of-way including meters, hydrants, service lines etc. Also, please note that no trees, shrubbery or obstruction shall be placed within a 3' radius of a City-owned sewer lateral cleanout or water &/or reuse meter. Show the location of all existing City owned and maintained potable water mains and services, sanitary sewer mains or laterals and storm drainage lines on the proposed landscape plans. Contact Tracy Wynn GIS Coordinator Engineering Div. for Utility information. 954-545-7007 tracy.wynn@copbfl.com Engineering Standard street tree detail 316-1 and 315-1.

6. Submit / upload the 2022 City Engineering standard details for the proposed off-site water, sewer connections, road restoration, paving, curbing and sidewalks. These detail drawing may be obtained in pdf format from the City's website. <https://www.pompanobeachfl.gov/government/engineering/standard-details>

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

Plan Reviewer:

Status: Comments not available as of June 20, 2024.

CRA

Plan Reviewer:

Status: Comments not available as of June 20, 2024

BSO

Plan Reviewer: Deputy Anthony Russo | Anthony_Russo@sheriff.org <mailto:Anthony_Russo@sheriff.org>
M-(561) 917-4556 (Call, Text & Email; No Voicemail) Tuesday - Friday; 8 AM - 3 PM

Status: Authorized with 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.

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.

C. * 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.

D. *PLEASE NOTE*****

When a Broward Sheriff’s Office CPTED Practitioner is required to assist in an inspection of the project during the Certificate of Completion &/or Certificate of Occupancy Application Phase, Security Strengthening & CPTED measures that have not been adequately addressed will still be required to ensure the safety & well-being of the employees, residents, tenants, visitors & all legitimate users of the site.

E. * ATTENTION VERY IMPORTANT *****

Regarding your ORIGINAL PLAN responses, please place the following ADDITIONAL CONDITIONS on the ACTUAL SECURITY STRENGTHENING CPTED DRAWING SAFETY & SECURITY PLAN, NOT ONLY ON THE NARRATIVE. If necessary, use more than one page when uploading the plans into the drawing plan folder.

F. *BROWARD SHERIFF’S OFFICE NO TRESPASSING PROGRAM*****

Please note that 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.

*****All of the CPTED & Security Strengthening Conditions That Are Stated in Your Most Current CPTED Narrative Document Must Also Be Stated On Your CPTED Drawing Diagram for Approval. You May Add Another CPTED Drawing Diagram Page if Extra Space is Required to Fit All of the Narrative. *****

BUILDING DIVISION

Plan Reviewer: Todd Stricker | 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 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.

3. 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.

4. 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.

5. 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.

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 110.7 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.
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 A208.2.3.3 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.

END OF COMMENTS.

PLEASE NOTE: Applications that require resubmission to the DRC have 45 days from the time of original DRC meeting in which to resubmit. Applications that fail to be resubmitted before the completion of these 45 days, or fail to receive a time extension from the Development Services Director, shall be considered withdrawn (§155.2304.B).