

## Legislation Text

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**File #:** LN-142, **Version:** 2

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### DEVELOPMENT REVIEW COMMITTEE

Meeting Date: OCTOBER 20, 2021

### 554 N. RIVERSIDE DR. SITE PLAN

**Request:** Minor Site Plan  
**P&Z#** 21-12000019  
**Owner:** Linda Samson  
**Project Location:** 554 N. Riverside Drive  
**Folio Number:** 484331110100  
**Land Use Designation:** MH (Medium-High 16-25 DU/AC)  
**Zoning District:** RM-20  
**Commission District:** 1  
**Agent:** Anthony Fichera (561-715-8609)  
**Project Planner:** Lauren Gratzner (954-545-7792) / lauren.gratzner@copbfl.com

### Summary:

The applicant is requesting MINOR SITE PLAN approval for the construction of three two-story townhomes. This is a resubmittal from the July 7, 2021 DRC.

### Staff Conditions:

#### PLANNING

Daniel Keester | daniel.keester@copbfl.com

Review Complete Pending Development Order

-The property was platted (Blue Water Beach, Lot 12) and recorded prior to 1953 (Plat Book 26 Pg 29) with no restrictions on the plat. Based on Broward County's Administrative Rules Document Broward Next (4.3) regarding platting exemption, it does not appear that replatting would not be required for the proposed multi-family development; however, staff recommends that the applicant submit a platting

determination letter to the Broward County Planning Council confirming whether a plat note amendment or re-platting is required for the proposed development.

-It must be noted that the 2019 Draft FEMA FIRM update shows this property in an AE 6 (NAVD) flood zone which will require the FFE to be built at a minimum of 7 feet NAVD. The Paving, Grading and Drainage Plan is showing the FFE at only 6.5" NAVD. If the 2019 FEMA maps are adopted prior to the issuance of building permit, the FFE will have to be increased to 7" NAVD to be permitted.

## **ENGINEERING DEPARTMENT**

David McGirr | david.mcgirr@copbfl.com

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

1. Place note on landscape plans as per City Ordinance(s) §50.02(A) (4) and §100.35(E), 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 the Engineering Div. for Utility information. Engineering Standard street tree detail 316-1
2. Prior to the approval of the City Engineering division, the City's Planning and Zoning Division must approve these plans.
3. The proposed paving, grading and drainage plans must be approved by the Broward County EPD Surface Water Management Division.
4. The proposed watermain and services, sanitary sewer connection to service this project and proposed drainage must be approved by the City of Pompano Beach Utilities Division.
5. Provide a sediment and erosion control plan for the subject project. All site development must be performed by using Best Management Practices.
6. Please note on civil plan WS-1 Water & Sewer Connection, 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.

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)

7. On the water and sewer plan the 3 6" x 1" water service taps need to be constructed per the city engineering standard detail 107-1. Please clarify descriptions to match detail. (no GV or PVC)

## **FIRE DEPARTMENT**

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

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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.

## **BUILDING DIVISION**

James DeMars | [james.demars@copbfl.com](mailto:james.demars@copbfl.com)

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

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 2017 FBC Accessibility.

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 2017 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\_BCA 105.9 Asbestos. The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of section 469.003 Florida Statutes and to notify the department of environmental protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law. Contractor will be required to submit Broward County asbestos program certificate of submittal indicating that the statement of responsibility has been submitted.

3. 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.

4. 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.

5. 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.

6. 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).

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

## **BSO**

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

Review Complete Pending Development Order

[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 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.

Strongly Recommended:

CPTED Landscaping Standards

Natural Surveillance

- a. Ensure to design out all landscaping and lighting conflicts to avoid existing or future obstructions to Natural or Electronic Surveillance.
- b. Ensure to design out existing or potential concealment/ ambush points to deter/ prevent criminal activity.
- c. Maintain 2' to 2.5' foot maximum height for all hedges, bushes, low plants and ground cover.
- d. Maintain an 8" foot clear trunk for canopy trees and tall plants without any obstructive limbs or foliage hanging down that would obstruct Natural &/ or Electronic Surveillance.
- e. Design out any potential landscaping and lighting conflicts in order to avoid existing or future obstructions to natural or mechanical lighting and surveillance.



## Security

- a. Burglar Security Alarms should be installed at any property. Pre-wiring is highly recommended.

## CRA

Kimberly Vazquez | kimberly.vazquez@copbfl.com

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This project is located outside of the East CRA District. The CRA supports the proposed project for this site.

## UTILITIES

Nathaniel Watson | nathaniel.watson@copbfl.com

Status

Comments not provided as of 10/12/21.

## LANDSCAPE REVIEW

Wade Collum | wade.collum@copbfl.com

Review Complete Pending Development Order

### 10.6.21 Comments

- A. No comment responses were found on submitted response sheet for landscaping.
- B. Provide large canopy Street trees at 1:40' on Riverside NE 6th St. and relocate lateral in middle island.
- C. Bubblers will be provided for all new and relocated trees and palms, show on irrigation plan.

D. Show retention areas on the landscape plan.

E. Provide a comment response sheet on how all the comments were addressed at time of resubmittal

#### 6.21.21 comments

1. Label sheets correctly for ePlan submittal.

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

3. Submit a tree survey prepared, signed, and sealed by a Florida Registered Surveyor showing the locations of all existing trees and palms in accordance with Code Section 155.2411, and Part 5

4. Submit a Tree Appraisal prepared by an ISA Certified Arborist in accordance with Rule 14-40.030 of the Florida Administrative Code as amended, for all trees and palms that are specimen size , and DBH for caliper for all nonspecimen trees, that assigns each existing tree a number; that specifies the common and botanical name for each existing tree; describes the overall size and caliper of each existing tree; evaluates the health condition of each existing tree; identifies the status of each existing tree (whether the tree is to be protected in place, be relocated, or be removed); and provides a dollar value for each existing tree included on the tree survey.in accordance with Code Section 155.2411, and Part 5.

5. Provide an elevations sheet as the height of trees is determined by building height.

6. As per 155.5203.B.2.ii.Based on the height of the building half of all required canopy trees are to be 14 / 16' tall and palms to be 18' / 22' OA, please adjust.

7. Show how requirements from 155.5203.D.5 VUA Landscaping are being met. Provide a minimum of 8' and up to 24' of landscape areas between a vehicular use area and an abutting building. In between the two garage doors extending out to the ROW.

8. Provide a data table showing how the site is meeting the requirements of 155.5203. C Minimum Site Development Landscaping.

9. Square footage noted on site plan and landscape plan does not match survey, correct.

10. Remove tree symbols from site plan as it does not match landscape plan.

11. Propose an alternate tree to Dahoon Holly as this tree species does not fare well in our locale.

12. Propose a flowering trees visible from the street on site.

13. Remove on street parking from site plan to match the landscape plans to avoid street tree requirement conflict.

14. Consider using an alternate species to the Foxtail Palm as they are heavy feeders and require a rigid fertilizer program.

15. 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.

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

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

18. Show any retention areas on the landscape plans also.

19. Reduce the size of the symbols for shrubs ad groundcovers and make the plans easier to review.

20. CRP is shown on the plans but not in the plant list, correct.

21. Show St. Augustine sod in the plant list.

22. Provide a note on plan that a Pre Construction meeting with Urban Forestry is required before any work is performed onsite where there is tree protection and/or plant material is installed on site.

23. Provide a note that all road rock, concrete, asphalt and other non natural material be removed from all planting areas prior to landscape installation and be replaced with planting soil prior to landscape installation.

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

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

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

## ZONING

Lauren Gratzer | Lauren.Gratzer@copbfl.com

### Review Complete Resubmittal Required

1. This application is being reviewed as a Minor Site plan.
2. The site plan appears to have multiple plans in one (Civil information, irrigation info, etc.) and have additional unnecessary lines with measurements that are necessary. Provide a clear site plan with the extra information removed. The setback information and building dimensions are difficult to read.
3. Clarify if the parking in the Right-of-Way is to remain as they are not counted within the parking calculations. Provide the size of these spaces on the site plan. They shall be at least 9'x23'. Note, all off-street parking and loading areas shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent hard, dustless, and bonded surface material (155.5102.C.2.a). Additionally, these spaces shall not interfere with the required landscaping. Clarify the material that will be used in these areas. This shall be shown on both the site plan and landscape plan.
4. Provide the height on the elevations measured from the average finished floor elevation to the midpoint

- of the roof.
5. The landscaping shown on the site plan still does not match the landscaping on the landscape plan. It is best to remove all landscaping from the site plan and only show it on the landscape plan for the sake of consistency.
  6. On the landscape plan, show the bushes/trees proposed in between the driveways of the western units as currently shown on the site plan.
  7. On the landscape plan, revise the mechanical equipment screening (A/C units and pool equipment) to be screened on all visible sides. The A/C unit near the east property line does not have screening from the east property line. Additionally, the pool equipment on the east property line does not have screening on all three exposed sides.
  8. The landscape plan has a box that says “Deerfield Beach Landscape Requirements”. Revise, as this is the City of Pompano Beach.
  9. Provide a note on the landscape plan that says “all mechanical equipment screening will be maintained at least 6 inches above the equipment”.
  10. A utility easement agreement form must be submitted at time of building permit for the fence located in the 5’ utility easement.

## **SOLID WASTE AND RECYCLING**

Beth Dubow | [beth.dubow@copbfl.com](mailto:beth.dubow@copbfl.com)

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NOTE: The recycling and trash carts need to be rolled to the curbside for collection service along NE 6th Street.

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.

NOTE: Additional comments may be necessary based upon revisions, additional plans and/or documents. Contact Beth Dubow at 954-545-7047 or [beth.dubow@copbfl.com](mailto:beth.dubow@copbfl.com) should you have any questions or concerns regarding this review.

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).