

Staff Report

File #: LN-191

PLANNING AND ZONING BOARD

Meeting Date: APRIL 27, 2022

LIVE! SPA INDUSTRIAL SITE PLAN

Request: Major Site Plan
P&Z# 21-12000035
Owner: Pompano Beach JV Land Holdings, Inc and PPI, Inc.
Project Location: 777 Isle of Capri Circle
Folio Number: Multiple Folios
Land Use Designation: RAC (Regional Activity Center)
Zoning District: PCD (Planned Commercial /Industrial District)
Commission District: 5 (Cyndy Floyd)
Agent: Amanda Martinez (561-405-3300)
Project Planner: Max Wemyss (954-786-7671 / max.wemyss@copbfl.com)

Summary:

The applicant is requesting Major Site Plan approval to construct approximately 658,000 square feet of industrial use consisting of a 517,000 square foot sortation facility and a 141,000 square foot delivery station building, with supporting accessory uses. The subject property is located on the east half of the Live! Resorts PCD south of Racetrack Road (SW 3 Street), north of the Cypress Bend Development, and west of the Tri-Rail train tracks. The site area (96.05 acres) is part of a 180.46-acre Planned Development. The total lot coverage of the site is 11.6%. The property has a Regional Activity Center (RAC) land use designation and a Zoning designation of Planned Commercial Development (PCD), which permits the industrial use. The site plan was most recently reviewed by the Development Review Committee on March 2, 2022 and by the Architectural Appearance Committee on April 5, 2022.

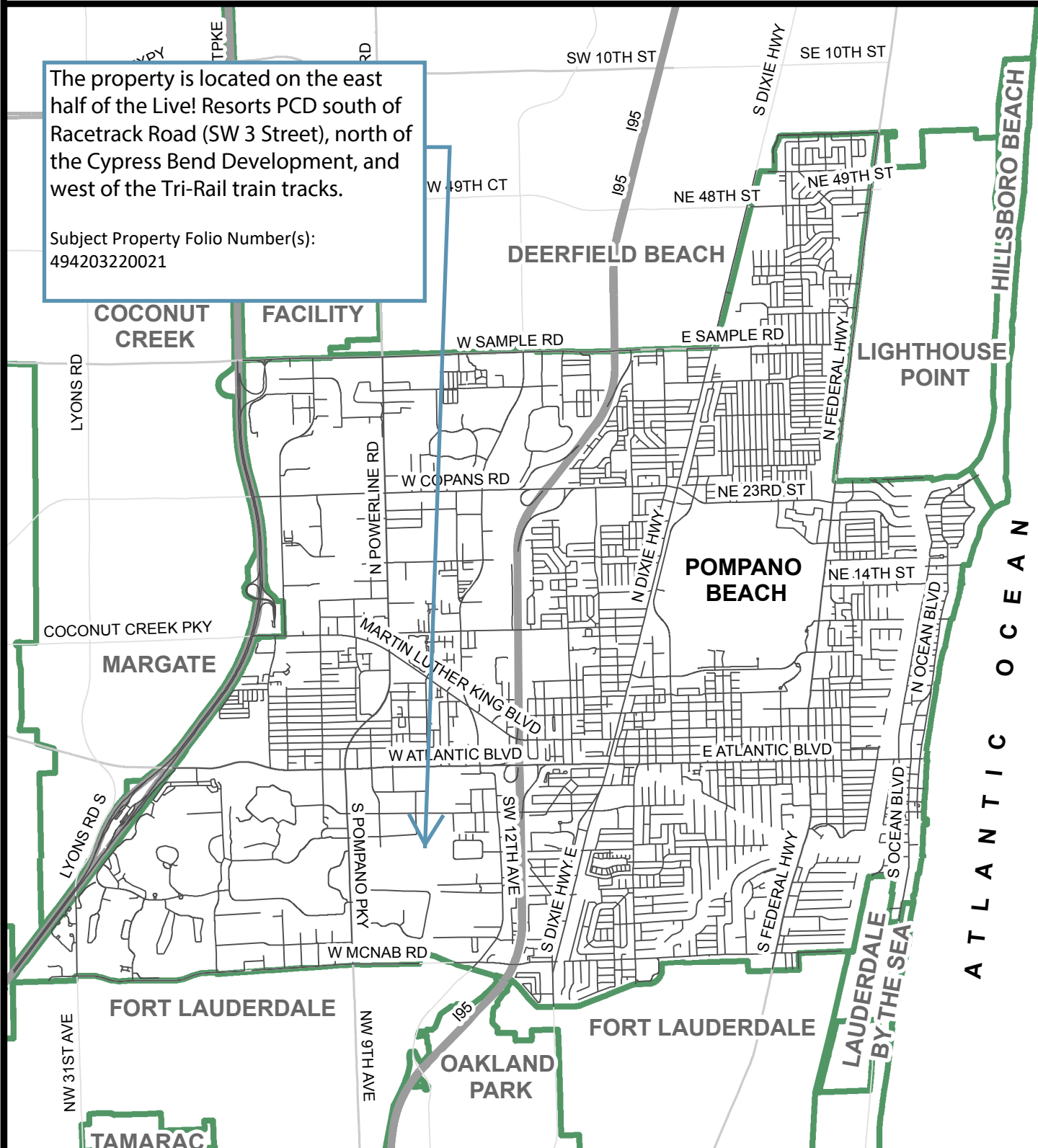
The property was rezoned to a Planned Commercial Development with an adopted master plan in 2020 (Ordinance 2021-02), following a Land Use Plan Amendment to entitle 1.5 million square feet of industrial use on the subject site. A traffic study was conducted at the time of rezoning for the proposed industrial use and found the proposed transportation improvements and traffic mitigation projects identified in Exhibit S of the PCD Plan to be sufficient for the total buildout of the PCD district. This project, as well as those previously approved within the PCD, do not generate the number of trips necessary to require the off-site improvements yet. The Trip Generation Analysis for this project, provided within the project documents, further details these findings. Finally, plat note amendments are being processed to modify restrictive notes on the plats related to the industrial use, non-vehicular access lines, and perimeter landscape easements. Recorded plats will be required prior to building permit approval.

CITY OF POMPANO BEACH LOCATION MAP



The property is located on the east half of the Live! Resorts PCD south of Racetrack Road (SW 3 Street), north of the Cypress Bend Development, and west of the Tri-Rail train tracks.

Subject Property Folio Number(s):
494203220021

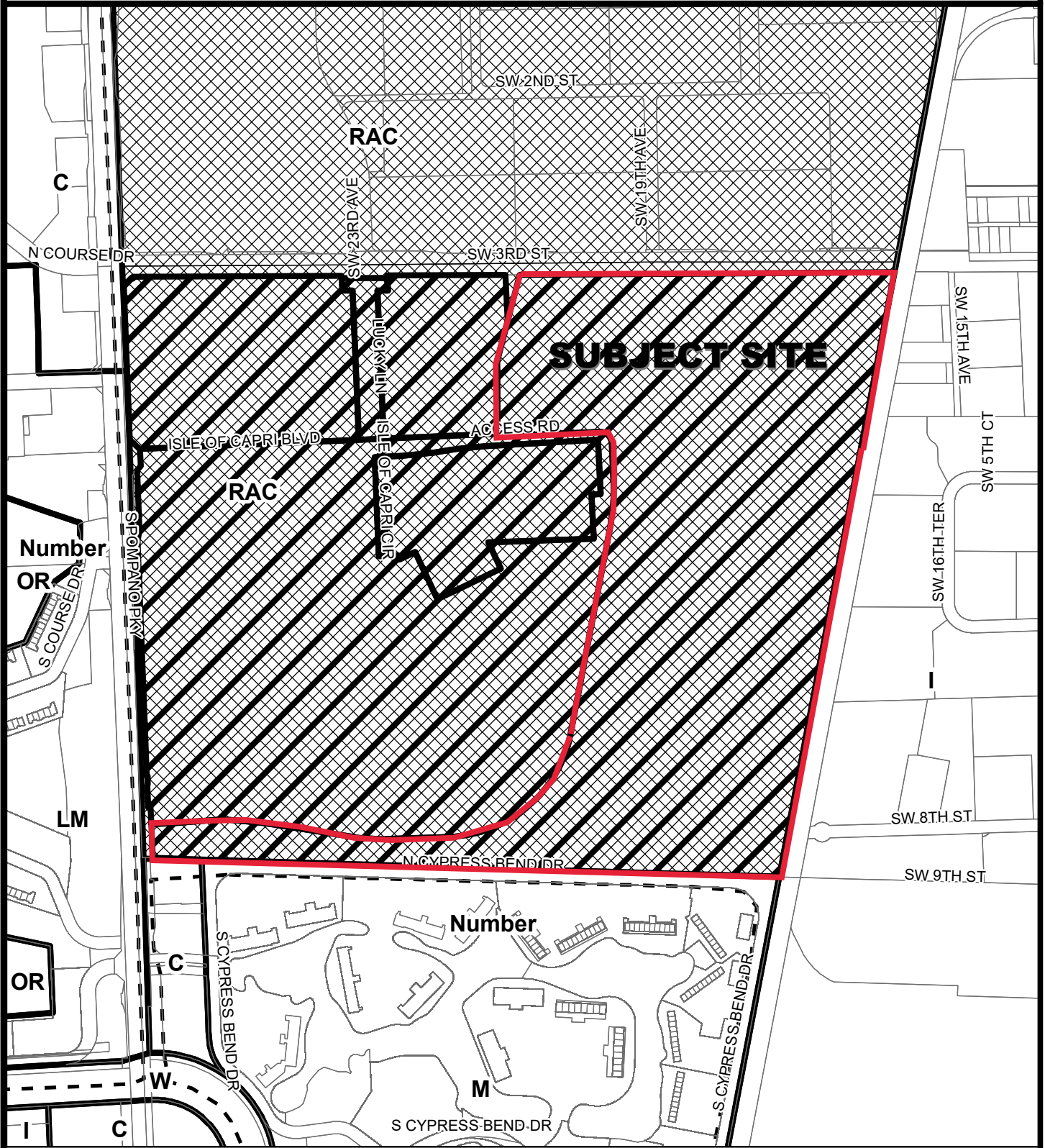


1 in = 1 miles

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES



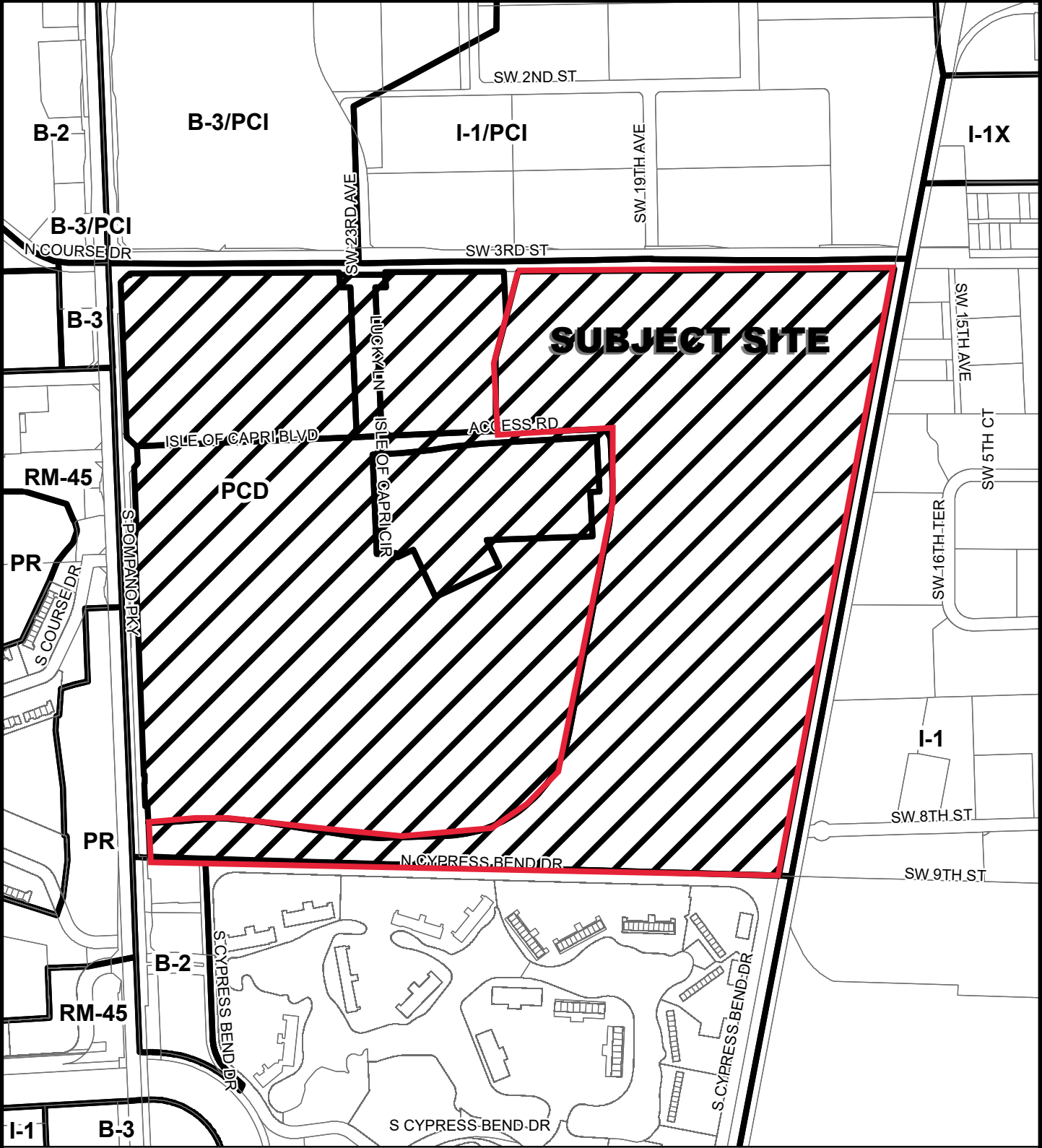
CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 667 ft

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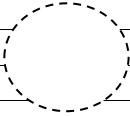
CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 667 ft

PREPARED BY:
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LEGEND

FOR LAND USE PLAN			FOR ZONING MAP	
Symbol	Classification	Units/ Acre	Symbol	District
			RS-1	Single-Family Residence 1
L	Low (1-5 DU/AC)		RS-2	Single-Family Residence 2
LM	Low- Medium (5-10 DU/AC)		RS-3	Single-Family Residence 3
M	Medium (10-16 DU/AC)		RS-4	Single-Family Residence 4
MH	Medium-High 16-25 DU/AC)		RS-L	Single-Family Residence Leisureville
H	High (25-46 DU/AC)			
12	Irregular Density		RD-1	Two- Family Residence
36	Irregular Density			
			RM-7	Multiple-Family Residence 7
C	Commercial		RM-12	Multiple-Family Residence 12
CR	Commercial Recreation		RM-20	Multiple-Family Residence 20
			RM-30	Multiple-Family Residence 30
I	Industrial		RM-45	Multiple-Family Residence 45
			MH-12	Mobile Home Park
T	Transportation			
			B-1	Limited Business
U	Utilities		B-2	Neighborhood Business
			B-3	General Business
CF	Community Facilities		B-4	Heavy Business
			M-1	Marina Business
OR	Recreation & Open Space		CR	Commerical Recreation
W	Water		I-1	General Industrial
			I-1X	Special Industrial
* RAC	Regional Activity Center		O-IP	Office Industrial Park
			M-2	Marina Industrial
LAC	Local Activity Center			
			TO	Transit Oriented
DPTOC	Downtown Pompano		PR	Parks & Recreation
	Transit Oriented Corridor		CF	Community Facilities
			PU	Public Utility
ETOC	East Transit Oriented		T	Transportation
	Corridor		BP	Business Parking
	Number		LAC	Local Activity Center
			RPUD	Residential Planned Unit Dev.
		*	PCD	Planned Commercial Development (Ord. 21-02)
			PD-TO	Planned Development - Transit Oriented
			PD-I	Planned Development - Infill
			RM-45 HR	Multiple-Family Residence 45 High Rise-Overlay
			AOD	Atlantic Boulevard Overlay District
			CRAO	Community Redevelopment Area Overlay
			NCO	Neighborhood Conservation Overlay
			APO	Air Park Overlay
			DP	Downtown Pompano Beach Overlay

SITE PLAN REVIEW STANDARDS

An application for a Site Plan shall be approved only on a finding that there is competent substantial evidence in the record that the development, as proposed:

1. Is consistent with the land use designation in the comprehensive plan;

The proposed development is consistent with the land use designation and Comprehensive Plan Goals, Objectives and Policies as noted below:

Policy 01.03.08

Establish criteria to protect residential areas and other land uses that are adjacent to industrial and commercial areas from excessive, odors, traffic and parking impacts.

Policy 01.16.01

The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

Policy 01.17.02

Regional Activity Centers shall include a mix of land uses that are regionally significant and should include residential uses when they are complimentary to other uses within the RAC.

2. Complies with the applicable district, use, and intensity and dimensional standards of this Code (Articles 3, 4, and 5);

Article 3: Zoning Districts

Planned Commercial/Industrial Developments establish their own intensity and dimensional standards (§155.3604). Staff has verified the Site Plan complies with the standards advanced in the PCD Plan.

The site was rezoned to a Planned Commercial Development with an adopted master plan in 2020 (Ordinance 2021-02), following a Land Use Plan Amendment to entitle 1.5 million square feet of industrial use on the subject site. The PCD Master Plan included several project specific deviations (Exhibit P) from Chapter 155, Zoning Code, and was subsequently amended to modify the design and configuration of the internal circulation (PCD Minor Deviation 22-13200002) and to reduce the landscaping requirements for parking areas within the industrial site (PCD Minor Deviation 22-13200001). These deviations are further described in Section 3 below.

The PCD requires the following of the project:

- a. 10-foot landscape buffers on the north and west, as well as a 50-foot landscape buffer to the south.
- b. A 20-foot tall sound wall between the existing multi-family residential to the south (Cypress Bend) and the Industrial Development area.
- c. Freight Truck traffic must access and leave the site from the eastern most entrance on Racetrack Rd with a left turn in when approaching the site from Andrews, and with a right turn out toward Andrews, when leaving the site.

Article 4: Use Standards

The principal, accessory, and temporary uses allowable in the PCD district are identified in Exhibit Q of the PCD Plan and Exhibit E further outlines the locations of allowable uses permitted for within the district. The uses shown on the Site Plan comply with the allowable uses.

Article 5: Development Standards

See Section 3 below.

3. Complies with the applicable development standards of this Code (Article 5);

The development standards in Article 5 generally apply to all development in PCD districts, but some modifications to these development standards were approved during the rezoning once they were determined to be consistent with the general purposes of the PCD district and the comprehensive plan. The deviations permitted by the PCD are located in Exhibit P of the PCD Plan.

The project has received the following minor deviations in addition to those included in the PCD Ordinance:

- a. Exhibit P - Deviation Table of the PCD Plan; adding a deviation from Section 155.5203.D.4.b.i of the City Code to allow landscape islands to be provided every 10 parking spaces on average. In no instance shall a row of parking spaces exceed 13 spaces without a landscape island. Parking spaces designed to accommodate freight trailer parking will not require landscape islands within parking bays.
- b. Exhibit P - Deviation Table of the PCD Plan; adding a deviation from Section 155.5203.D.4.c of the City Code to allow for the elimination of landscape islands between parking bays. This deviation is permitted to accommodate electric vehicle charging equipment and conduit. Walkways that would otherwise be required within the landscape island shall still be required at least every third bay.

While the Industrial Design Standards of Section 155.5603 apply to the site, the frontage of Racetrack Rd (SW 3 Street) is required to comply with the Commercial Design Standards of Section 155.5602, pursuant to the PCD. The applicant received Superior Design Alternative for modifications of the Fenestration/Transparency requirements of the Commercial Design Standards, from the Architectural Appearance Committee:

§155.5602.C.7.b: Fenestration Transparency:

“All ground-level windows on street-facing facades shall be transparent. Mirrored or heavily-tinted glass that prevents views into the building is prohibited on street-facing front building facades. This provision does not apply to a building facade enclosing a sexually oriented business use.”

The design team has worked with staff to provide a project that satisfies the requirements of Article 5 for new development requiring Major Site Plan. Remaining requirements to be addressed are provided as conditions to consider for a Development Order.

4. Complies with all other applicable standards in this Code;

The proposed site plan complies with applicable standards in the Code, and is consistent with the approved PCD Master Plan.

5. Complies with all requirements or conditions of any prior applicable Development Orders;

This site is a redevelopment of existing structures related to the harness track and is not subject to any prior Development Order. A separate Development Order will be issued to for the adjacent internal roadway, identified as "Loop Road" in the PCD. This site is required to install the landscaping on the project side of the roadway.

6. The concurrency review has been completed in accordance with Chapter 154 (Planning) of the Code of Ordinances;

Based on the calculations below, the proposed project complies with the concurrency requirements.

*Wastewater Treatment Demand 65,812 gallons per day **

*Water Treatment Demand 78,053 gallons per day **

*Raw Water Demand 84,298 gallons per day **

Transportation

Transit fees paid to the Broward County to meet concurrency

Solid Waste Generation 13,162 lbs. per day (City has a contract with the Waste Management for disposal of all solid waste through 2022).

** The City has adequate capacity to serve the proposed project.*

7. Is designed to provide safe, adequate, paved vehicular access between buildings within the development and streets as identified on the Broward County Trafficways Plan.

The development is designed to provide safe, adequate and paved vehicular access between the proposed building and the streets identified on the Broward County Trafficways Plan (Racetrack Road) as required.

8. Complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance;

The Property is not located within a wellfield protection area. The Development does not anticipate requiring any hazardous material licensing.

9. Complies with crime prevention security strengthening and CPTED standards for natural surveillance, natural

As part of the Major Site Plan and Building Design application, the design team has developed a separate CPTED security plan and CPTED security narrative which address the CPTED standards for natural surveillance, natural access control, territorial reinforcement, maintenance and activity support.

10. Complies with the adopted Fire Codes and Standards pursuant to City Code Section 95.02;

The proposed site plan was reviewed by Fire Plans Examiner during DRC.

11. Considers and mitigates any potential adverse impacts on environmentally sensitive lands identified by the City Comprehensive Plan or Broward County Land Use Plan;

The proposed development is not within an area that will have impact on environmentally sensitive lands.

12. Complies with the approved Transportation Corridor Study, unless in direct conflict with another Zoning Code provision.

The proposed project complies with the requirements of the Transportation Corridor study.

DEPARTMENT RECOMMENDATION

Pursuant to §155.2304.C, Applications Subject to Staff Recommendation, the Development Services Director has compiled the department reports from the Development Review Committee (DRC) meeting which are recorded on file with the Department of Development Services. The Development Services Department recommends approval of the Major Site Plan subject to the following comments and conditions:

1. Prior to the issuance of a building permit for the development, the Applicant shall:
 - a. Provide copies of the recorded Plats for the subject property verifying the County approvals of all pending Plat Note Amendments.
2. Prior to the issuance of a certificate of occupancy for the development, the Applicant shall:
 - a. Install the required 10' minimum buffer along Racetrack Rd and a 50' minimum buffer along the southern property line of "Open Green Space." The 50' buffer is to be consistent with Exhibit V of the PCD. This site plan proposes development within development area B and D as identified in the PCD.
 - b. The buffer within development area B and D will be installed prior to the issuance of the first Certificate of Occupancy for new development within each of those designated areas.
 - c. Additionally, the buffer within development area A shall be installed prior to issuance of the first Certificate of Occupancy for new development not related to the casino expansion.
 - d. Install the required 20-foot tall sound wall as demonstrated on the site plan, in accordance with Exhibit V, within the southern buffer of the PCD.
 - e. Install the street trees along the perimeter of the all adjacent roadways, including internal circulation identified as "Loop Road" on the PCD.
3. Standard conditions of approval and/or specifications required prior to Building Permit/Zoning Compliance Permit issuance:
 - a. Provide a photometric plan that includes the Sortation Facility and complies with Section 155.5401 Site Lighting.
 - b. Revise the elevations to include detail callouts for all materials and colors, as approved by the AAC.
 - c. Include a copy of the approved CPTED plan, approved by the Broward Sheriff's Office.
 - d. Compliance with all applicable City Ordinances, including but not limited to comments issued by the Development Review Committee.
 - e. Substantial compliance with the plans, as submitted with this application.