



Staff Report

**File #:** LN-481

PLANNING AND ZONING BOARD

Meeting Date: JULY 26, 2023

**1207 EAST ATLANTIC BLVD.**

**Request:** Plat  
**P&Z#** 23-14000003  
**Owner:** 1207 E. Atlantic LLC  
**Project Location:** 1207 E. Atlantic Blvd  
**Folio Number:** 484236000360  
**Land Use Designation:** East Atlantic Transit Oriented Corridor  
**Zoning District:** TO-EOD (Transit Oriented - East Overlay District)  
**Commission District:** 3 (Alison Fournier)  
**Agent:** Andrea Harper (561-469-0992)  
**Project Planner:** Maggie Barszewski (954-786-7921 / maggie.barszewski@copbfl.com)

**Summary:**

**A. Plat Background**

A plat is a map, drawn to scale, showing the divisions of a piece of land. It can delineate blocks, streets, alleys and easements. Further refinement often splits blocks into individual lots, usually for the purpose of selling the described lots, this has become known as subdivision. The statutory definition of subdivision according to Chapter 177.031(18), F.S. is “the division of land into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and re-subdivisions.” Upon the filing of a plat, legal descriptions can then refer to block and lot-numbers rather than portions of sections. In order for plats to become legally valid, a local governing body must review and approve them.

In Broward County, such legal authority is bestowed upon the Broward County Commission as stipulated within Article 7 of the Broward County Administrative Rules Document. Section 7.2 - ‘Countywide Platting Authority’ states that “No plat of lands lying within Broward County, either in the incorporated or unincorporated areas, may be recorded in the Official Records prior to approval by the County Commission.” Section 7.4 provides for the input of each local government within Broward County, whereby a plat application must first be approved by the local jurisdiction before final approval with the County Commission. That section states that “local Jurisdictions shall require platting at least in those circumstances where the Broward County Land Use Plan requires platting.”

**B. Request**

The applicant is requesting plat approval for the “McClinton 25” Plat. The 1.074-acre property is located at the northwest corner of Atlantic Blvd. and NE 13<sup>th</sup> Avenue and has an address of 1207 E. Atlantic Blvd. The agent Angela Harper of Keith, Inc. is representing the owner of the property, 1207 E. Atlantic, LLC c/o ATEX Group.

The subject property is currently vacant and was formerly the site of the Broward County Library that was relocated to the Pompano Beach Cultural Center.

The subject property has a land use designation of ETOC (East Transit Oriented Corridor) and the Zoning is TO-EOD (Transit Oriented-East Overlay District). A conceptual Site Plan was submitted with this Plat corresponding to the Major Site Plan that was approved on June 28, 2023.

The property will be platted as two parcels labeled Parcels “A” for the developable property, and “B” for a small right-of-way dedication parcel. The plat shows two access points; one is located on NE 13<sup>th</sup> Avenue and the other is on NE 1<sup>st</sup> Street. The plat note restricts the property to 41 mid-rise units, 6 townhouse units and 5,200 square feet of commercial space.

**C. Section 155.2410. PLAT - A. Purpose**

The purpose of this section is to provide a review procedure to conform to the Broward County Land Use Plan's platting requirement and to ensure subdivisions of land within the city:

1. Provide for the orderly growth and development of the city;
2. Coordinate proposed streets with existing and planned streets in the city's street system, and with other public facilities;
3. Provide rights-of-way for streets and utility easements;
4. Avoid congestion and overcrowding of streets;
5. Ensure there is adequate access to development;
6. Ensure there are adequate utility facilities to serve development;
7. Ensure there is adequate open space and recreation facilities to serve development; and
8. Ensure there is proper recordation of land ownership or property owner association records, where applicable.

**D. Plat Review Standards**

An application for a Plat shall be approved only on a finding that the proposed subdivision or development on the lots proposed to be platted meets all of the following standards:

1. The development complies with the applicable standards in Part 7 (Lots) of Article 5: Development Standards;
2. The development complies with all other applicable standards in this Code;
3. The development complies with all requirements or conditions of any applicable development orders (e.g., Planned Development);
4. Any land within the platted lot(s) that is necessary to comply with the Broward County Trafficways Plan has been conveyed to public by deed or grant of easement;
5. The development complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance; and
6. All facilities for the distribution of electricity, telephone, cable television, and similar utilities, shall be placed underground.

**E. Staff Analysis**

The subject property has a Land Use designation of ETOC (East Transit Oriented Corridor) and the Zoning is TO-EOD (Transit Oriented-East Overlay District). The proposed Plat was reviewed by the DRC on July 19, 2023 and was found to be in compliance with the City's Land Development Regulations. The Broward County Development Review Report (DRR) recommendations have been addressed on the Plat. Furthermore, all

applicable Development Standards in Part 7 of Article 5 have been met.

The Broward County DRR required that the Plat include two dimensions that are in conflict with the approved Site Plan, as well as being in conflict with the intent of the TO-EOD Development Regulations. These dimensions include: a corner chord based on a 30-foot radius at the corner of East Atlantic Blvd. and NE 13<sup>th</sup> Avenue; and an indentation in the E. Atlantic Blvd. right-of-way line to accommodate a bus shelter pad. Even though the Applicant has filed objections to the County regarding these requirements, during the interim of a ruling, they have included these dimension requirements on this submittal. It is the opinion of Staff that the requirement of the corner chord based on a 30-foot radius is unacceptable since, based on the approved Site Plan, it will cut through the colonnade located on the southeastern edge of the building. This location does not warrant such a dedication based on the fact that NE 13<sup>th</sup> Avenue is an existing collector intersecting with Atlantic Blvd. with no cross street intersecting on the south side of Atlantic Blvd and, therefore, there will be no future need for a traffic light switch box at that corner; nor is there a need for this large dedication based on the design speed of the road and the anticipated traffic flow. Staff concurs with the Applicant's objection to providing this corner chord and suggests a condition prior to City Commission to eliminate it.

Along with the Applicant, Staff is also objecting to the DRR requirement of providing an indentation along the frontage to provide a bus shelter pad. There is enough right-of-way to install a bus shelter without taking additional property from the applicant and in fact, since the corner chord dedication is not necessary, the shelter location can be shifted back to its current location. Staff, therefore, suggests two additional conditions prior to City Commission as follows: Eliminate the indentation along the property's southern frontage line that is intended to accommodate the bus shelter pad; and upon elimination of the corner chord, shift the location of the bus shelter pad to its current location.

**Staff Recommendations:**

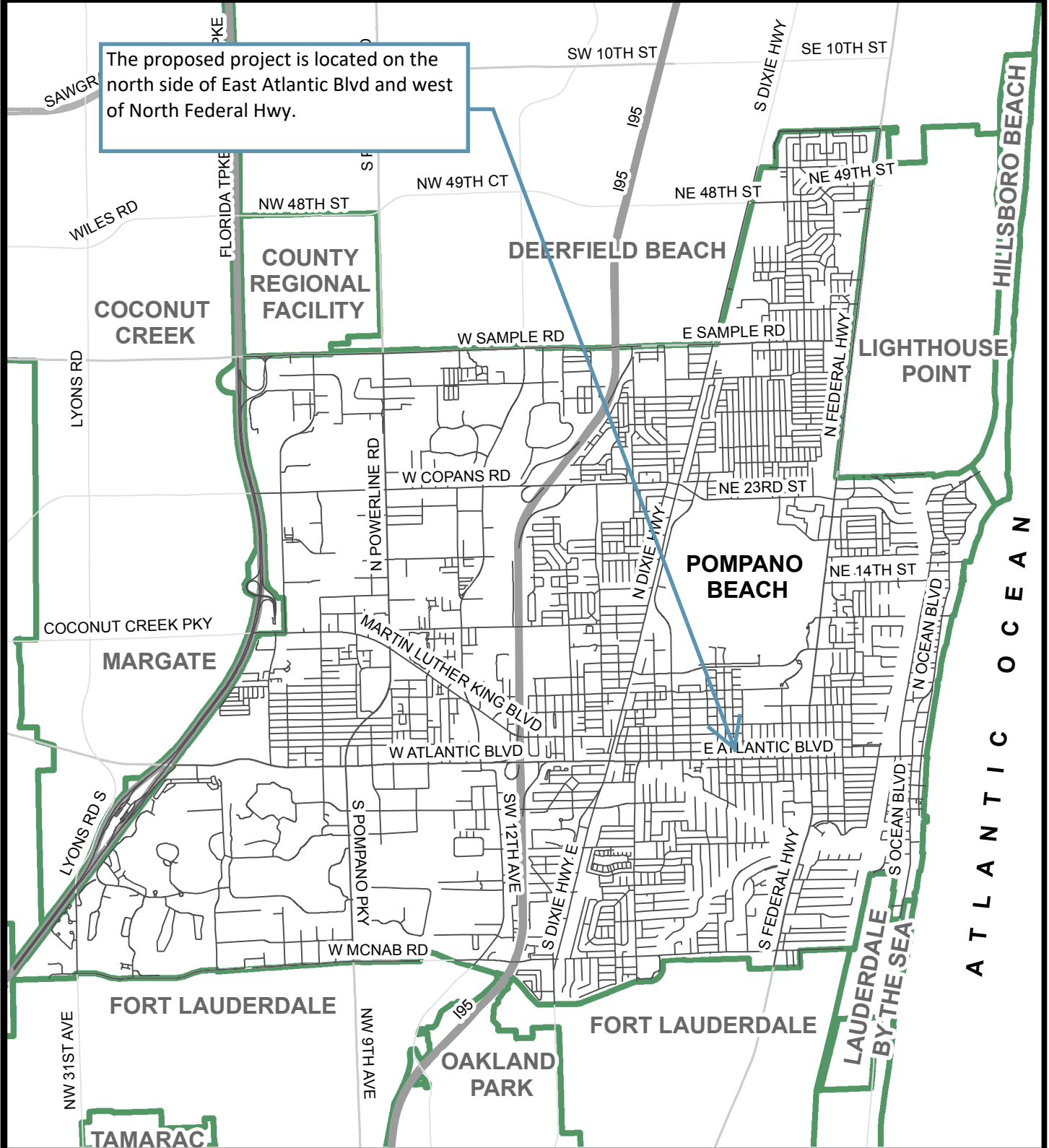
Since the Plat meets the Development Standards cited above, the Development Services staff recommends approval of this Plat with the following conditions to be satisfied prior to the City Commission hearing:

1. The Plat cover page must be signed and sealed by the surveyor and signed by all owners;
2. The elimination of the 30-foot radius corner chord from the corner of the East Atlantic Blvd. and NE 13<sup>th</sup> Avenue;
3. The elimination of the indentation along the property's southern frontage line that is intended to accommodate the bus shelter pad; and
4. Upon elimination of the corner chord, shift the location of the bus shelter pad to its current location.

# CITY OF POMPANO BEACH LOCATION MAP



The proposed project is located on the north side of East Atlantic Blvd and west of North Federal Hwy.

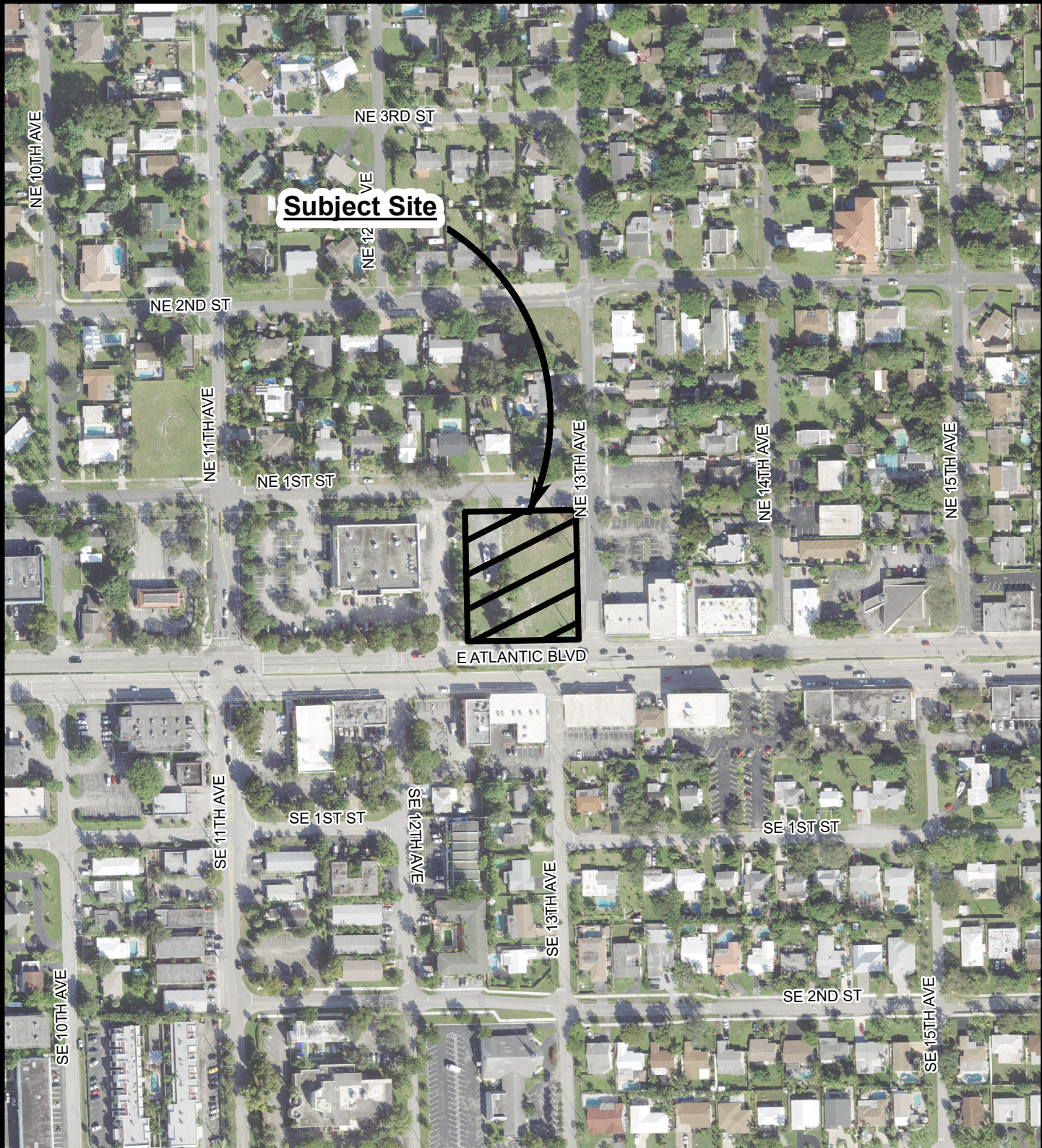


1 in = 1 miles

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DEVELOPMENT SERVICES



# CITY OF POMPANO BEACH AERIAL MAP

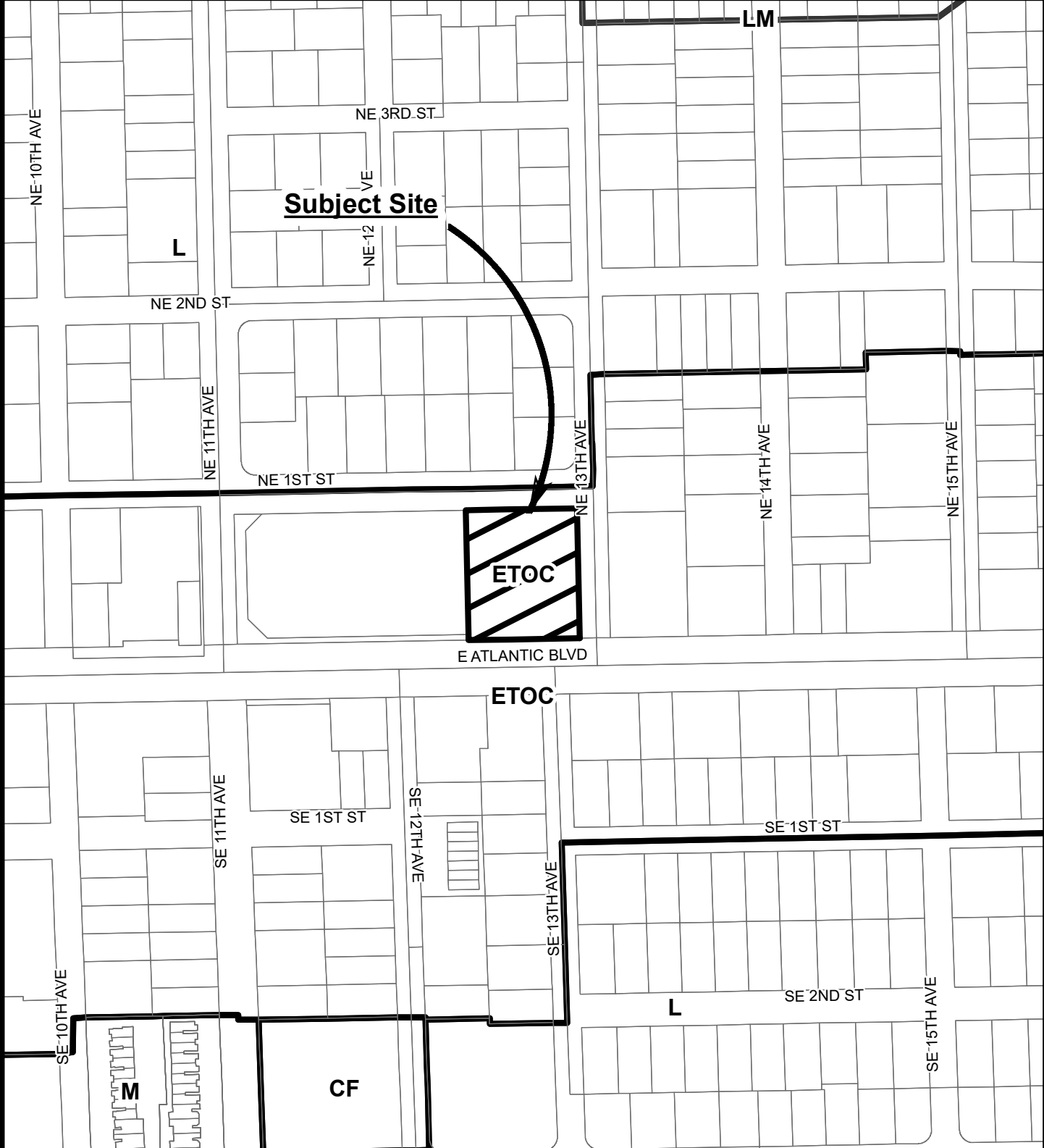


1 in = 250 ft

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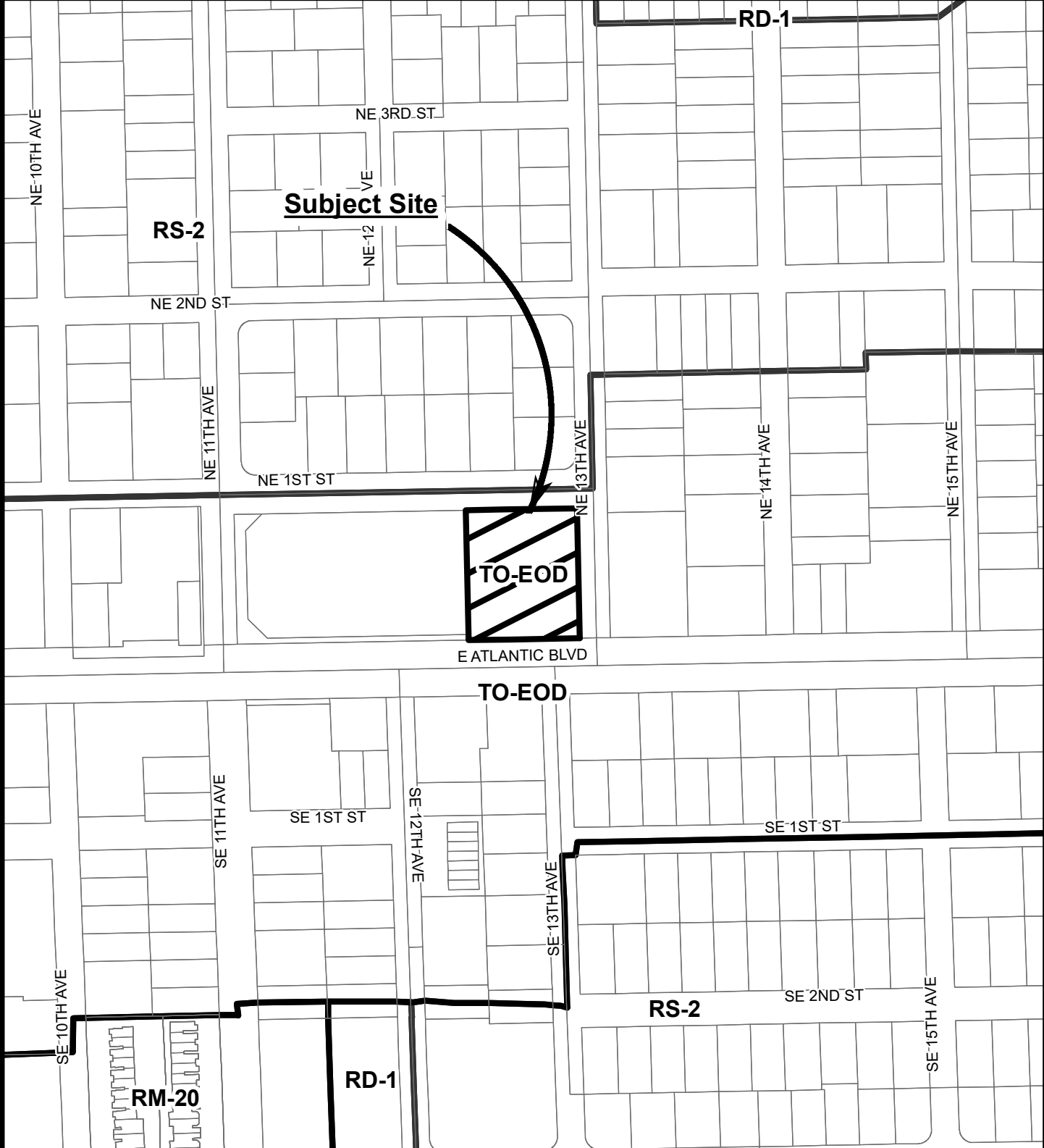
# CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 250 ft

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# CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 250 ft

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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 Leisurville
H	High (25-46 DU/AC)		
12	Irregular Density	RD-1	Two- Family Residence
36	Irregular Density		
MUR-H	Mixed-Use Residential (High)	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
DPTOC	Downtown Pompano		Transit Oriented
	Transit Oriented Corridor	PR	Parks & Recreation
		CF	Community Facilities
		PU	Public Utility
*	ETOC	T	Transportation
	Corridor	BP	Business Parking
		LAC	Local Activity Center
	Number		
		RPUD	Residential Planned Unit Dev.
		PCD	Planned Commercial Development
		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
		*	EOD
			East Overlay District
		DPOD	Downtown Pompano Beach Overlay District