



Staff Report

File #: LN-137

PLANNING AND ZONING BOARD

Meeting Date: AUGUST 25, 2021

HARBOURSIDE AT HIDDEN HARBOUR SITE PLAN

Request: Major Site Plan
P&Z# 21-12000023
Owner: AMP IV-Hidden Harbour, LLC
Project Location: 1490 North Federal Highway
Folio Number: Multiple Folios
Land Use Designation: MUR-H (Mixed Use Residential-High)
Zoning District: PD-I (Planned Development- Infill)
Commission District: 1
Agent: Graham Penn (305-374-5300)
Project Planner: Pamela Stanton (954-786-5561 / Pamela.Stanton@copbfl.com)

Summary

The following is a brief summary of information on the subject properties and surrounding properties. The applicant is requesting Major Site Plan approval for a reduction in building heights and density for a new mixed-use planned development that was previously approved (PZ#19-12000007) with 9-story buildings and 300 dwelling units, a parking garage, and approximately 13,000 square feet of new commercial use including marine-related retail and a restaurant. The reduction will change the building heights on North Federal Highway and on NE 16 Street from 9 stories to 8 stories, and will reduce the density from 300 units to 271 units. Pursuant to Section 155.2407.H.2, an increase or decrease the number of building stories requires a new Site Plan application. No other changes are proposed to the building footprint, location, disposition or elevations. The overall development also includes an existing 68,800 square foot dry storage marina building, 15 wet slips, and a new private park (to be open to the public).

A Land Use Plan Amendment (LUPA), which provided the entitlements for up to 323 residential units, preceded the PD-I rezoning and this application for a Major Site Plan. The underlying land use was officially changed to MUR-H (Mixed-Use Residential - High) via Ordinance No. 2019-12, adopted December 11, 2018. The Site Plan must comply with the PD-I rezoning and Master Plan for Hidden Harbour, which was approved by City Commission on January 28, 2020 via Ordinance No. 2020-26.

The property comprises 6.21 net acres (8.9 gross acres) and is generally located east of North Federal Highway

and south of NE 16 Street. The Major Site Plan application was reviewed by the Development Review Committee (DRC) on June 16 and July 21, 2021.

SITE PLAN REVIEW STANDARDS

An application for a Major Site Plan or Minor 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 subject property's underlying land use is MUR-H (Mixed-Use Residential - HIGH) and Ordinance No. 2019-12 which allows up to up to 323 residential units. However, the applicant is requesting 271 units as part of this Major Site Plan application. Additionally, the Comprehensive Plan includes specific design guidelines for Mixed-Use residential, which were incorporated into the project through the PD-I Rezoning and Major Building Design.

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 Development - Infill (PD-I) establish their own intensity and dimensional standards (§155.3607). Staff has verified the Site Plan complies with the standards advanced in the PD Plan.

Article 4: Use Standards

The principal, accessory, and temporary uses allowable in the PD-I district are identified in [Appendix A](http://library.amlegal.com/nxt/gateway.dll?) <http://library.amlegal.com/nxt/gateway.dll?> : Consolidated Use Table. The Hidden Harbour Master Plan further outlines the allowable uses

permitted for this project. 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 PD-I 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 PD-I district and the comprehensive plan.

It should be noted modifications to design standards are strictly prohibited in Planned Developments. This applies to both mixed-use development and parking garages. 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 PD-I Master Plan.

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

- *Hidden Harbour PD-I rezoning and Master Plan: Ordinance No. 2020-26:*
 - *Applicant has obtained Airpark Obstruction approval from Planning & Zoning Board;*
 - *Applicant must construct improvements to address deficiencies in traffic operations at NE 14th Street/NE 23rd Ave and Federal Highway/NE 14th Street (additional details below); and*
 - *Applicant must obtain approval for Valet Parking Agreement and record the agreement with the Broward County Records Division.*
- *Complies with Land Use Plan Amendment to MUR-H (Mixed-Use Residential - HIGH): Ordinance No. 2019-12:*
 - *A Declaration of Restrictions (Instrument # 115629292, recorded 2/21/2019, BCR) was required as part of the LUPA and includes the following restriction: "The maximum floor area on the Property will be 650,000 square feet (including all uses, residential, commercial, and marina-related buildings) and may not, in aggregate, generate more than 1,377 PM peak hour external vehicle trips." According to the applicant's traffic*

study (TrafTech Engineering, dated 5/19/2020) for the previous site plan approval, new trips generated by the project include approximately 189 trips during the typical afternoon peak hour (119 inbound and 70 outbound). These numbers may be diminished due to the reduction in density.

- *Complies with Major Building Design (AAC): PZ# 19-12000007*
- *Complies with Major Site Plan (PZB): PZ#19-12000007*

6. The concurrency review has been completed in accordance with [Chapter 154](http://library.amlegal.com/nxt/gateway.dll?)
<<http://library.amlegal.com/nxt/gateway.dll?>
(Planning) of the Code of Ordinances;

Completed as part of DRC review and verified after PD-I zoning was established. An updated School Capacity Availability Determination letter is required prior to building permit approval.

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;

Traffic remains an important concern to area residents, particularly the intersections of NE 14th Street/NE 23rd Avenue and Federal Highway/NE 14th Street. A Traffic Engineering Study was prepared by the applicant as part of the previous site plan application and the City's traffic consultants provided an extensive evaluation and review of this report, the recommendations for which have been incorporated into staff's recommended conditions of approval for this revised Site Plan. Additionally, a maneuverability analysis was conducted with the previous site plan which suggests some minor tweaks to the layout may be required for optimal circulation. These have also been incorporated into staff's recommended conditions.

The project proposes two areas for valet parking, one for the residential building fronting NE 16th Street, and the other for a proposed restaurant along NE 23rd Avenue. A valet analysis - which was provided to the City during the rezoning - is included in the backup materials, along with comments and recommendations from the City's traffic consultants.

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.

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;

Not applicable.

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

The Federal Highway Corridor Study from the City's "Transformation Plan" encourages mixed-use development, especially in the area referred to as the "Hub," which is where the subject property is located. The Study recognizes that this area is appropriate for mixed-use development and utilization of existing marine uses.

Staff Conditions

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, all of which are carried over from the previous Development Order PZ#19-12000007:

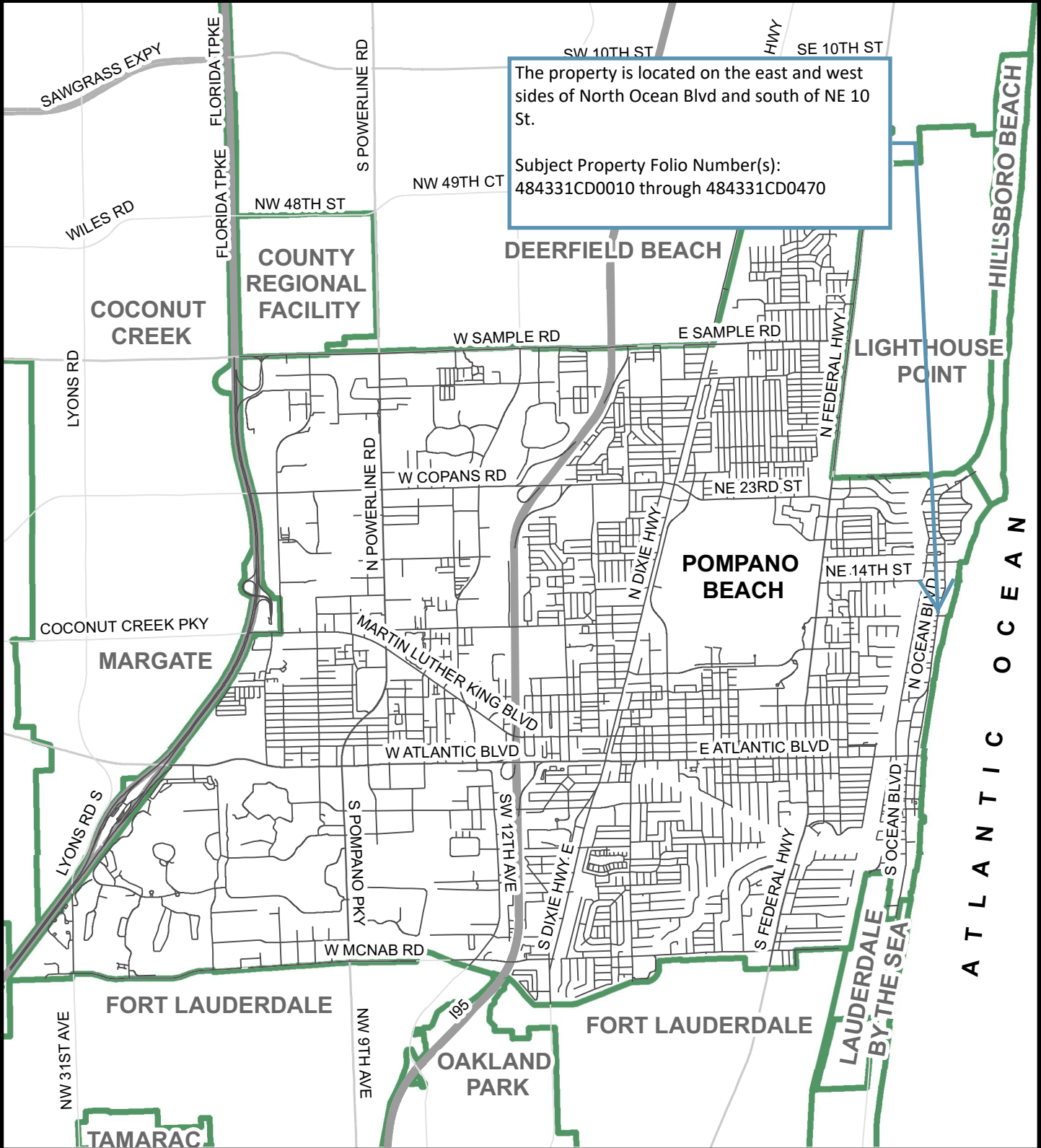
1. Successfully obtain the following final approval:
 - a. Valet Parking Agreement
2. Resolve the following maneuverability issues:
 - a. Provide a dockmaster to coordinate loading/refuse operations in order to minimize impacts to

traffic along the roadways.

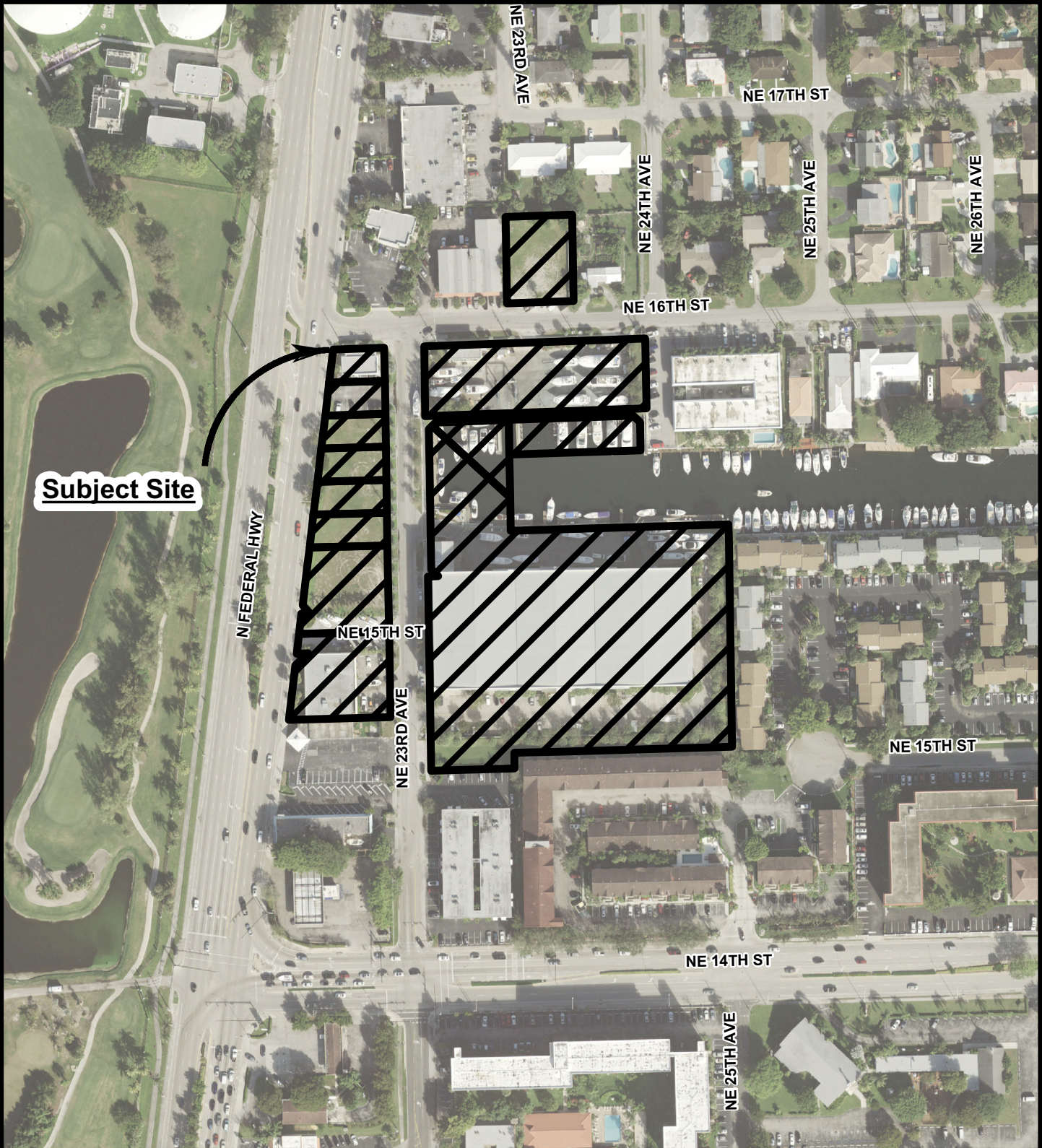
- b. Revise circulation or layout as necessary so vehicles on south side of garage do not conflict with each other.
 - c. Address marine/boat delivery operations planned along NE 23rd Avenue. Provide an analysis along with a summary of the planned concept of the operations.
3. Prior to the issuance of a building permit for the mixed-use development and subject to the approval of Broward County Traffic Engineering Division, the Applicant shall:
 - a. Install additional “DO NOT BLOCK INTERSECTION” (R10-7) signs (ground mounted in the median and/or on the mast arm) for westbound NE 14th Street traffic to supplement the existing sign located on the sidewalk.
 - b. Install supplemental plaques below the R10-7 signs stating the fine amount and applicable Florida statute “\$165 FINE - F.S. 316.2061”
 - c. Install “DO NOT BLOCK INTERSECTION” intersection markings for the westbound lanes at the NE 14th Street/NE 23rd Avenue intersection consistent with Manual on Uniform Traffic Control Devices (MUTCD).
4. Prior to the issuance of a building permit for the mixed-use development, the Applicant shall:
 - a. Provide the City with a payment of \$35,000 to fund a detailed traffic operations study at the NE 14th Street intersections at US 1/Federal Highway and NE 23rd Avenue after the issuance of a certificate of occupancy for the final residential unit in the project. The goal of the study is to assess normalized traffic operations in the study area with inclusion of the project’s traffic and identify any signal phasing/timing/coordination improvements that would address deficiencies identified in the analysis.
 - b. Provide the City with a bond in a form acceptable to the City in the amount of \$250,000 to fund improvements identified as part of the future traffic operations study. Based upon review of current conditions; the improvements may include, but not be limited to traffic signal timing, the interconnection of the two (2) signalized intersection controllers, or the replacement of the two (2) existing intersection controllers with a single controller unit coordinating both intersections. The bond, along with any funds not expended in the study or improvements, will be released upon the earlier of the completion of any necessary improvements or thirty (30) months following the issuance of a certificate of occupancy for the final residential unit in the project.
5. Standard conditions of approval and/or specifications required prior to Building Permit/Zoning Compliance Permit issuance:
 - a. Provide an updated School Capacity Availability Determination letter (SBBC-1919-2015, dated 12/18/2017) from the Broward County School Board.
 - b. Provide evidence that the development achieves at least 12 sustainable development points (TABLE 155.5802, Sustainable Development Options and Points).
 - c. Pursuant to Section §155.2416 [Master Sign Program] and Section §155.51002 [Sign Structure Design Standards], the proposed development shall obtain approval for signs and free standing sign structures from the AAC, prior to approval of a Sign Code Compliance Permit.
 - d. Include a copy of the approved CPTED plan, approved by the Broward Sheriff’s Office.

- e. Compliance with all applicable City Ordinances, including but not limited to comments issued by the Development Review Committee.
- f. Substantial compliance with the plans, as submitted with this application.

CITY OF POMPANO BEACH LOCATION MAP

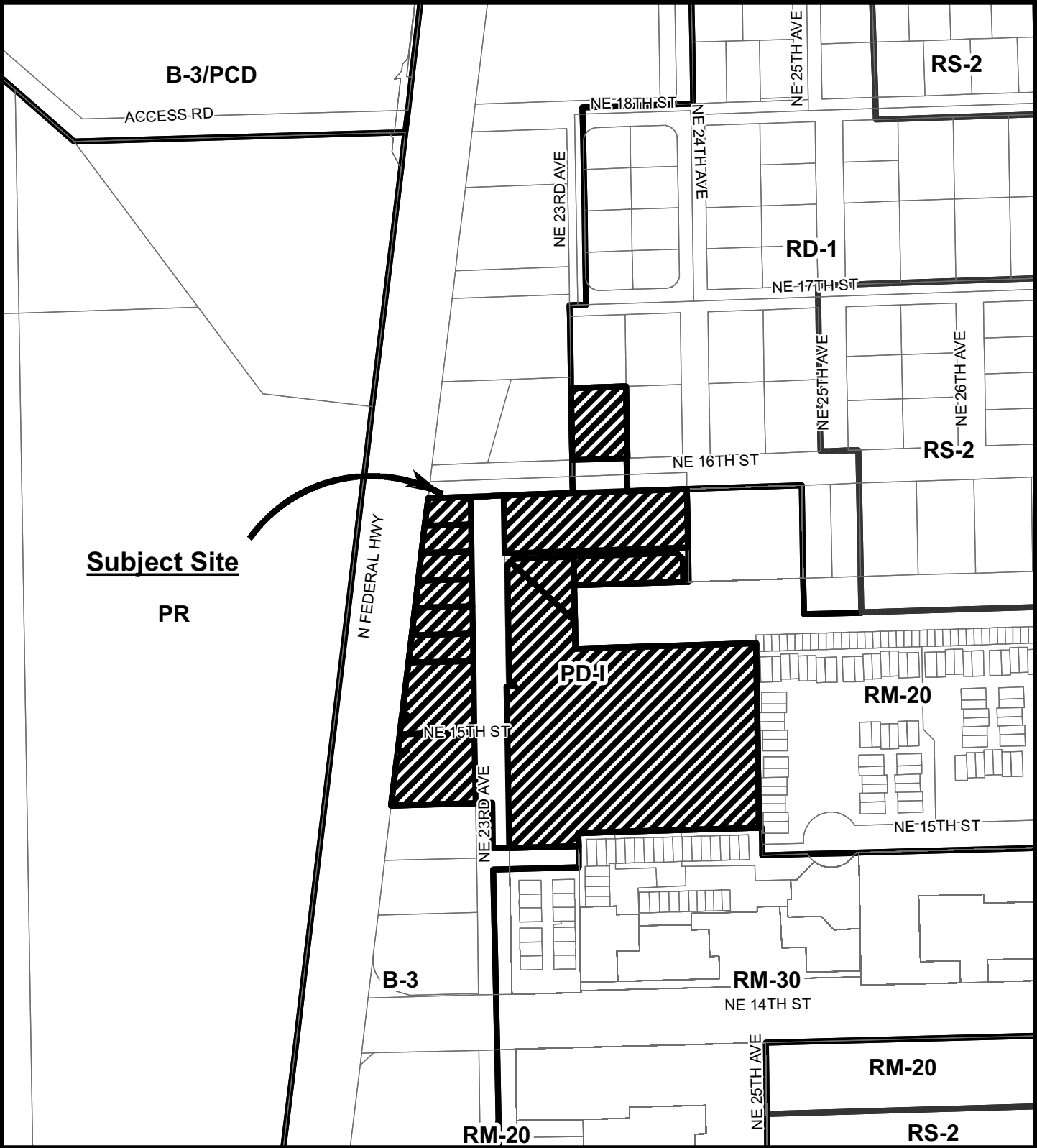


CITY OF POMPANO BEACH
AERIAL MAP



Subject Site

CITY OF POMPANO BEACH ZONING MAP



Subject Site

PR

PD-1

RM-20

B-3

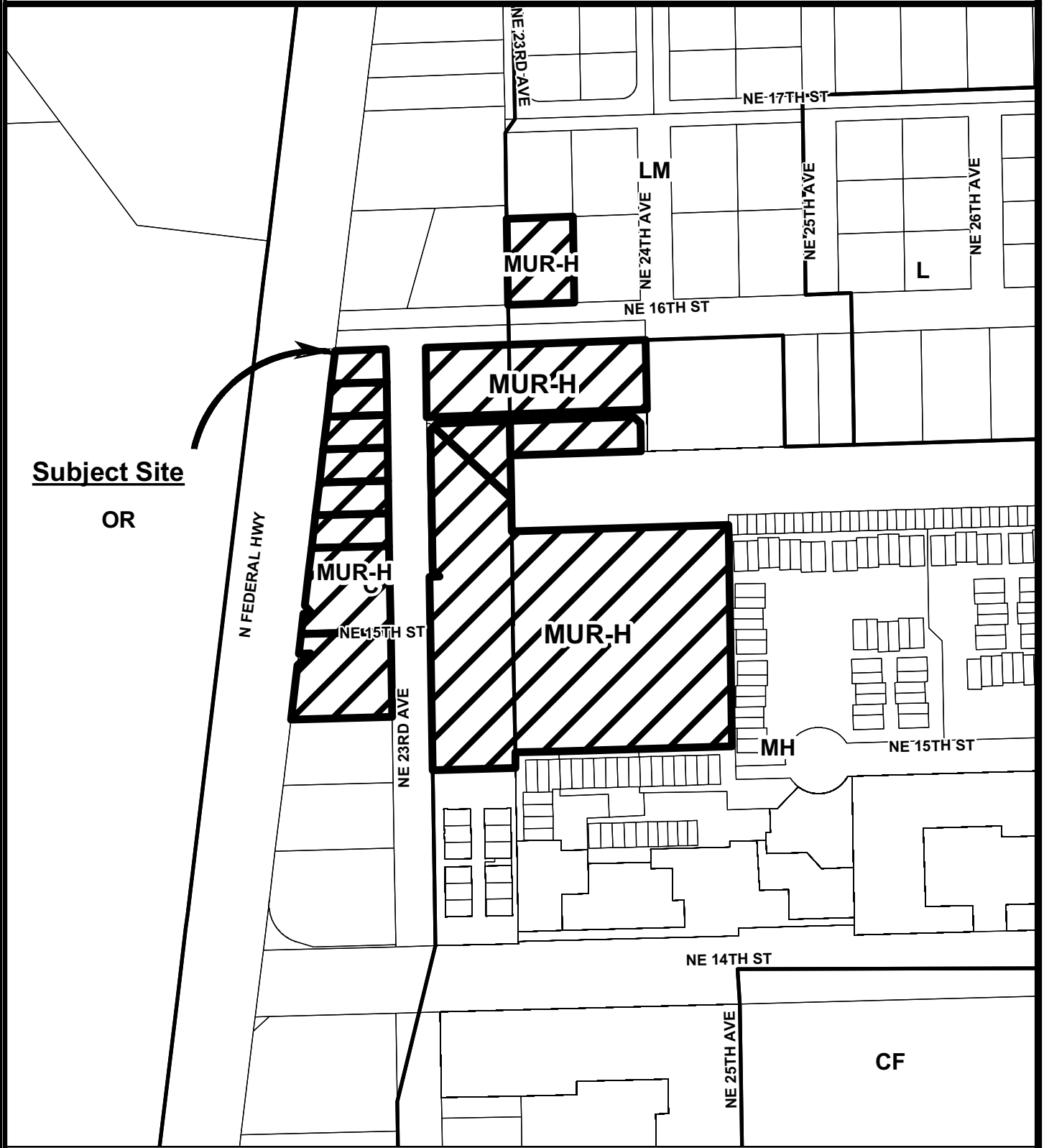
RM-30

RM-20

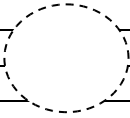
RS-2

RM-20

CITY OF POMPANO BEACH
OFFICIAL LAND USE MAP



P&Z
1 inch = 200 feet

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				
* 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	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	
			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	
			APO	Air Park Overlay	
			DP	Downtown Pompano Beach Overlay	

P&Z

G:\Zoning 2009\Site Plans\2020\20-12000014 Fire Station 52\4. PZB\PZB Report Legend.xls