

August 25, 2025

Code Amendment Justification Statement re: Minimum Stacking Lane Distance

A. Introduction and Summary of Request

Foundry Commercial (“Applicant”) hereby submits this application to amend the City of Pompano Beach Zoning Code (“Code”) to clarify the application of minimum stacking lane distance. More specifically, this application seeks to amend Section 155.510.G.8.B of the Code to account for multiple driveways on a parcel. The precise language of the proposed code amendment is attached.

B. Background

The Applicant is the contract purchaser of a 25-acre portion of the Festival Marketplace (Festival) site generally located at 2900 West Sample Road in the City of Pompano Beach (“City”). The Applicant proposes to demolish the existing building and construct three warehouse buildings that vary in size from approximately 115,000 square feet (Building 1), 60,200 square feet (Building 2), and 298,500 square feet (Building 3), with ancillary office space. A total of 422 parking spaces are provided on the site plan. Access to the development is via four (4) existing platted driveways: two (2) driveways on Sample Road and two (2) driveways on NW 27th Avenue. Sample Road is functionally classified as a State Principal Arterial and NW 27th Avenue is a County Collector. Therefore, jurisdiction over driveway connections to Sample Road rests with FDOT, and jurisdiction over connections to NW 27th Avenue rests with Broward County.

According to Table 155.5101.G.8.B of the City Zoning Code, each of the four (4) driveways on the site plan requires a driveway stacking distance of 100 feet. This provision of the Code does not account for large parcels with multiple driveways or take into consideration the requirements of other agencies that regulate access to roadways in the City. Given that there are four (4) existing driveways on this property, it is reasonable to assume vehicular traffic will be distributed among the four (4) driveways. Therefore, the stacking distance applicable to properties with only one (1) driveway should not apply in this instance where there are four (4) driveways.

The Applicant spent many months developing a site plan that meets the access requirements of FDOT for those driveways along Sample Road. FDOT reviewed the site plan and traffic study prepared by the Applicant which distributes traffic to the four (4) driveways on the property

consistent with accepted traffic engineering principles. Based on input from FDOT, a channelized ingress driveway at the main entrance was designed with a 100' uninterrupted stacking distance. After months of review, the driveway design was determined to be acceptable, and a preliminary access approval was issued by FDOT. See attached. The main driveway as shown on the proposed site plan provides for a channelized entrance drive that meets the 100' stacking lane distance as measured by FDOT. However, the design doesn't match the diagram in the Code but meets the intent of the requirement. The secondary driveway on Sample Road was approved by FDOT as part of the permitting process for the RaceTrac gas station. Both of these driveways will meet the distance requirements in the proposed amendment.

Similarly, the Applicant coordinated with Broward County regarding the access and stacking for the driveways along NW 27th Avenue. Broward County's review also considered that the traffic from the development would be distributed among the four (4) driveways. Adjustments were made to the driveway and access drives along the eastern portion of the property to address the comments received by the County reviewer. The stacking shown at the driveways on NW 27th Avenue reflects the comments received.

The Applicant requested a variance from Table 155.5101.G.8.B to allow the minimum stacking distance reflected on the proposed site plan as reviewed by the applicable permitting agencies. That variance was denied by the Zoning Board of Appeals because the request did not meet the stringent criteria for a variance, not due to any safety or site planning concerns. In fact, the request was reviewed by the City's traffic consultant, and no safety concerns were raised. The report prepared by the City's traffic consultants is included with this application.

C. **Code Criteria Justification**

Per Section 155.2402.C of the Code, in determining whether to adopt or deny the proposed amendment, the City Commission shall weigh the relevance of and consider whether and the extent to which the proposed amendment addresses the following review criteria. Each of the criteria are listed below in **bold** with Applicant's justification below each in *italics*.

1. Is consistent with the comprehensive plan;

This text amendment would provide for a modification that reflects commonly applied traffic engineering practices that ensure safe access to and from adjacent roadways. The text amendment would promote safe and orderly development in the City where large parcels are served by multiple driveways without overburdening large parcels with stacking areas that are larger than necessary.

2. Does not conflict with any provision of this Code or the Code of Ordinances;

This is the only section of the Code that addresses minimum stacking lane distance requirements. Therefore, the Code amendment does not conflict with any other provision of the Code or the Code of Ordinances.

3. Is required by changed conditions;

It may be impossible to create a zoning code that anticipates and addresses every situation that can occur in a municipality. As a result, codes are written to address the general characteristics of a community. In this case, there are very few parcels in the City that have the exact size, configuration, platted driveways and multi-jurisdictional responsibilities like this one. Only now that this unique property is proposed to be redeveloped have the shortfalls of this driveway stacking language been revealed. This amendment is required due to the redevelopment of a large parcel with unique conditions that weren't revealed at the time the Code was adopted.

4. Addresses a demonstrated community need;

The Applicant proposes to redevelop a very visible parcel at the western gateway to the City. Several years ago the owner determined that the prior use of the property was not making financial sense and began to wind down the business. The buildings are now vacant and need to be replaced to promote a positive image of the City at this gateway. The owner applied for, and the City granted a land use plan amendment and rezoning to allow the proposed use on the property. The Applicant's redevelopment plan will implement the existing land use and zoning designations on the property. The redevelopment plan will also provide a significant number of jobs and improve the City's tax base to support the needs of the community as a whole.

5. Is consistent with the purpose and intent of the zoning districts in this Code, or would improve compatibility among uses and would ensure efficient development within the city;

The text amendment would allow for a redevelopment plan that will replace the existing commercial buildings with a warehouse/office/showroom complex that is consistent with the underlying land use and zoning designations for the property. Similar uses are located in the surrounding area. Therefore, the proposed text amendment would allow for development that is compatible with uses in the area. The text amendment would ensure more efficient development in the City because it will not overburden large parcels that have multiple driveways with stacking lane distances that are longer than needed to provide for safe on-site and off-site traffic circulation.

6. Would result in a logical and orderly development pattern; and

The text amendment would provide for logical and orderly development of large parcels with several platted driveways such that the stacking lane distance doesn't overburden the property. The revision would not be detrimental to on-site or off-site traffic circulation because it is consistent with commonly implemented traffic engineering standards.

7. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

This text amendment would merely apply commonly applied traffic engineering practices when determining the acceptable stacking lane distances for large parcels with multiple driveways. This amendment would not result in adverse environmental impacts in the community.

Based on the foregoing, Applicant respectfully requests approval of the proposed code amendment.

Sincerely,

GREENSPOON MARDER LLP

Cynthia A. Pasch

Cynthia A. Pasch, AICP

TABLE 155.5101.G.8.B: MINIMUM STACKING LANE DISTANCE FOR PARKING LOT ENTRANCE DRIVEWAYS	
NUMBER OF OFF-STREET PARKING SPACES ¹	MINIMUM STACKING LANE DISTANCE (FT) ^{2,3}
1 - 49	25
50 - 249	50
250 - 499	100
500 or more	100 + 15 ft for every additional 50 spaces beyond 500

NOTES:
 1. Entrances into parking structures may be credited towards the stacking lane distance requirement provided the parking structure entrance is accessed from a development driveway and not a primary drive aisle.
 2. Stacking lane distance is measured from the intersection of the driveway with the street right-of-way, along the centerline of the stacking lane, to its intersection with the centerline of the first entrance into a parking area or other internal intersecting driveway.
 3. For properties 10 acres or larger in Industrial Zoning Districts, divide the total parking spaces required by the number of ingress/egress driveways on the subject site to determine the number of off-street parking spaces to utilize for determining minimum stacking lane distance required. A traffic study is required to determine that the proposed ingress/egress driveways are the minimum necessary and comply with Section 155.5101.G.2, Vehicular Access Management

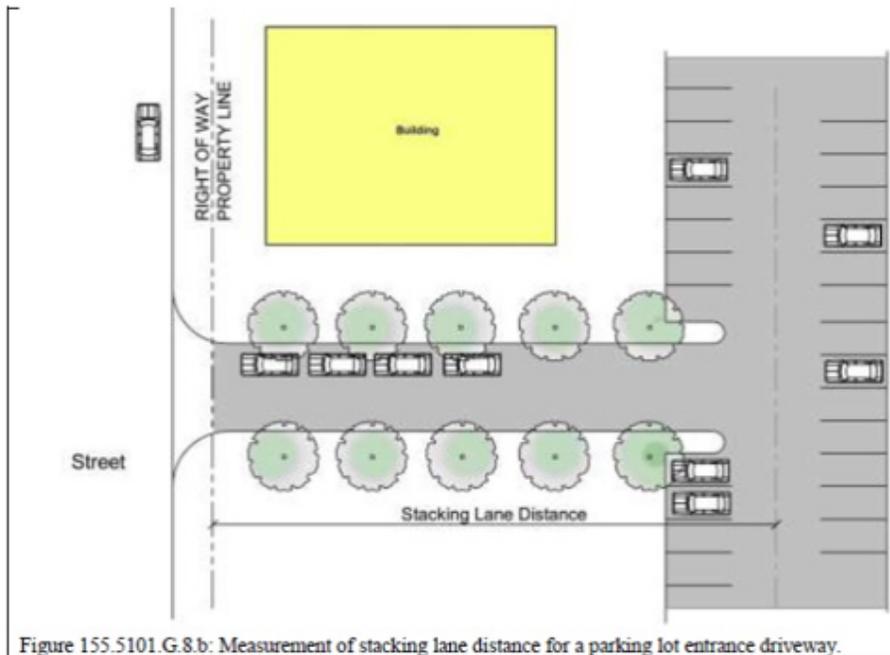


Figure 155.5101.G.8.b: Measurement of stacking lane distance for a parking lot entrance driveway.

Figure 155.5101.G.8.b: Measurement of stacking lane distance for a parking lot entrance driveway



Florida Department of Transportation

RON DESANTIS
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

JARED W. PERDUE, P.E.
SECRETARY

November 15, 2024

Chris Lall
Langan Engineering and Environmental Services
110 E Broward Boulevard, Suite 1500, Fort Lauderdale 33301

Dear Chris Lall,

RE: Variance Committee Review to allow for **Category E Driveway**
Applicant/Property Owner: FESTIVAL REAL ESTATE LLC
Broward County City of Pompano Beach State Road: 834 **Section:** 86028000 **MP:** 5.4
Access Class: 03 **Posted Speed:** 45 mph **SIS:** N/A **Site Acreage:** 25.1
Development Size: 483,806 SF Warehouse; 20 Pump Fuel Station & 5,500 SF Convenience Store
Project Name & Address: Festival Flea Market - 2900 W Sample Rd, Pompano Beach, FL 33073
AMRC Meeting Date: 11/7/2024

Request: Utilize the existing full signalized access on the south side of SR 834 approximately 834 feet west of NW 27th Avenue.

This request is: **Approved with Conditions**

Conditions / Comments:

- A minimum driveway length of 100 feet, as measured from the ultimate right-of-way line to the first conflict point shall be provided.**
- Coordinate signal timing optimization with Broward County.**
- All existing driveways not approved in this letter must be fully removed and the area restored.
- Drainage mitigation is required for any impacts within FDOT right-of-way (i.e. increased runoff or reduction of existing storage).
- A Storm Water Pollution Prevention Plan must be submitted with the application if there will be more than one acre of "disturbed area" (as defined by the Florida Department of Environmental Protection (FDEP))
- If additional right-of-way is required to implement the proposed improvements, the applicant shall donate the right-of-way to the Department.

Comments:

Please note that the dimensions between driveways are measured from the near edge of pavement to near edge of pavement and dimensions between median openings are measured from centerline to centerline unless otherwise indicated. The purpose of this letter is to document the conceptual review of the approximate location of driveway(s) to the State Highway system and to note any required improvements. Earlier Department decisions on this request shall be voided unless expressly approved herein. If the above concept is approved, the applicant may submit engineering plans to the Department for permitting. The Department's personnel shall review these plans for compliance with this letter as well as current Department standards and/or specifications. Final design must consider the existing roadway profile and any impacts to the existing drainage system. **Please note that this letter does not guarantee permit approval.** The permit may be denied based on the review of the submitted engineering plans. Be aware that any approved median openings may be modified (or closed) in the future, at the sole discretion of the Department.

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Chris Lall – Festival Flea Market Access Management Review Committee Letter

Committee approvals and conditions which are at variance with Department rules or standards are not binding in the permitting process for more than **12 months**.

Please contact the Access Management Manager - Tel. # 954-777-4363 or e-mail: D4AccessManagement@dot.state.fl.us with any questions regarding the Pre-Approval Letter.

For right-of-way dedication requirements go to: <https://osp.fdot.gov>; Click on Statewide Permit News. Scroll down to District 4. Scroll down to Additional Information and Examples and choose Right-of-way Donations/Dedications.

THE DISTRICT ACCESS MANAGEMENT REVIEW COMMITTEE

	With the above ruling I	Agree	Disagree	
Jonathan Overton, P.E. District Traffic Operations Engineer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	November 15, 2024
James Poole, P.E. District Design Engineer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	November 15, 2024
Antonio Castro, P.E. District Maintenance Engineer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	November 15, 2024